

AGENDA
SENATE AGRICULTURAL AFFAIRS COMMITTEE
8:00 A.M.
Room WW53
Thursday, January 09, 2020

SUBJECT	DESCRIPTION	PRESENTER
WELCOME	Opening Remarks	Chairman Jim Guthrie
INTRODUCTIONS	Page Introduction	Moses Brown, Page
RULES REVIEW	Update of Rules	Vice Chairman Lori Den Hartog
	Process Update	Colby Cameron, Regulatory Analyst Division of Financial Management

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Guthrie
Vice Chairman Den Hartog
Sen Patrick
Sen Harris
Sen Mortimer

Sen Lent
Sen Bayer
Sen Jordan
Sen Nelson

COMMITTEE SECRETARY

LeAnn Mohr
Room: WW31
Phone: 332-1330
Email: sagri@senate.idaho.gov

MINUTES
SENATE AGRICULTURAL AFFAIRS COMMITTEE

DATE: Thursday, January 09, 2020

TIME: 8:00 A.M.

PLACE: Room WW53

MEMBERS PRESENT: Chairman Guthrie, Vice Chairwoman Den Hartog, Senators Patrick, Harris, Mortimer, Lent, Bayer, Jordan, and Nelson

ABSENT/ EXCUSED: None

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Guthrie** called the Senate Agricultural Affairs Committee (Committee) to order at 8:00 a.m.

WELCOME AND INTRODUCTIONS: **Chairman Guthrie** introduced the new Committee secretary, LeAnn Mohr and the Committee page, Moses Brown. **Chairman Guthrie** invited Mr. Brown to the podium to introduce himself and share his interests, future aspirations, and long-term goals.

PASSED THE GAVEL: Chairman Guthrie passed the gavel to Vice Chairwoman Den Hartog.

RULES REVIEW: **Vice Chairwoman Den Hartog** updated the Committee about the rules review process. She explained the contents in the modified Committee rules review book. She said due to the uniqueness of the 2020 Legislative Session rules process, she will not be assigning specific rules to Committee members, rather the Committee will work on the omnibus rules collectively.

PRESENTATION: **Colby Cameron**, Regulatory Analyst, Division of Financial Management (DFM), spoke about the work DFM accomplished for the Red Tape Reduction Act. He recommended the Committee to first address omnibus rules before reviewing the traditional rules. He walked the Committee members through the rules book on the Legislative website.

Committee members expressed their concerns regarding how they would know which omnibus rule had been removed. **Mr. Cameron** explained the rule review process the agencies undertook and advised Committee members to contact the agencies with their concerns.

PASSED THE GAVEL: Vice Chairwoman Den Hartog passed the gavel to Chairman Guthrie.

ADJOURNED: There being no further business at this time, **Chairman Guthrie** adjourned the meeting at 8:28 a.m.

Senator Jim Guthrie
Chair

LeAnn Mohr
Secretary

AMENDED AGENDA #1
SENATE AGRICULTURAL AFFAIRS COMMITTEE
8:00 A.M.
Room WW53
Tuesday, January 14, 2020

Subject	DESCRIPTION	PRESENTER
Presentation:	Overview of the Idaho State Department of Agriculture Rules	Brian Oakey, Deputy Director, Idaho State Department of Agriculture
Docket No. <u>02-0616-1900</u>	Idaho Honey Commission Page 204	Ben Kelly, Executive Assistant, Idaho Honey Commission
Docket No. <u>43-0101-1900F</u>	Idaho Oilseed Commission Page 388	Ben Kelly, Administrator, Idaho Oilseed Commission
Docket No. <u>02-0701-1900F</u>	Idaho Hop Growers Commission Page 350	Candi Fitch, Executive Director, Idaho Hop Growers Commission
Docket No. <u>02-0801-1900F</u>	Idaho Sheep and Goat Health Board Page 355	Naomi LeGere-Gordon, Executive Director, Idaho Wool Growers Association
Docket <u>42-0101-1900F</u>	Idaho Wheat Commission Page 383	Blaine Jacobson, Executive Director, Idaho Wheat Commission
Docket No. <u>51-0101-1900F</u>	Idaho Beef Council Page 423	T.K. Kuwahara, Chief Executive Officer, Idaho Beef Council
Docket No. <u>53-0101-1900F</u>	Idaho Barley Commission Page 429	Laura Wilder, Administrator, Idaho Barley Commission
<u>RS27199</u>	Relating to Food; Repealing Chapter 16, Title 37, Idaho Code	Chanel Tewalt, Chief Operating Officer, Idaho State Department of Agriculture
<u>RS27200</u>	Relating to Weighmasters; Amend, Revise, and Repeal	Ms. Tewalt
<u>RS27201</u>	Relating to Agriculture; Amend and Revise	Ms. Tewalt

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

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MINUTES
SENATE AGRICULTURAL AFFAIRS COMMITTEE

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MEMBERS PRESENT: Chairman Guthrie, Vice Chairwoman Den Hartog, Senators Patrick, Harris, Mortimer, Lent, Bayer, Jordan, and Nelson

ABSENT/ EXCUSED: None

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Guthrie** called the Senate Agricultural Affairs Committee (Committee) to order at 8:00 a.m.

PASSED THE GAVEL: Chairman Guthrie passed the gavel to Vice Chairwoman Den Hartog.

PRESENTATION: **Brian Oakey**, Deputy Director, Idaho State Department of Agriculture (ISDA), explained the efforts ISDA completed for the Red Tape Reduction Act (RTRA). He said the RTRA provided the ISDA the opportunity to review every line of code and reduce or eliminate outdated rules. He said they were able to reduce the chapters from 77 to 40. He detailed the process ISDA undertook for the rule promulgation and negotiated rulemaking.

DOCKET NO. 02-0616-1900 **Ben Kelly**, Executive Assistant, Idaho Honey Commission, presented **Docket No. 02-0616-1900**. He said the changes made to the docket were minimal and in-line with the RTRA brought forward from the Office of the Governor.

MOTION: **Senator Harris** moved to approve **Docket No. 02-0616-1900**. **Senator Lent** seconded the motion. The motion passed by **voice vote**.

DOCKET NO. 43-0101-1900F **Ben Kelly**, Administrator, Idaho Oilseed Commission, presented **Docket No. 43-0101-1900F**. He said the changes to the docket were minimal and there were no changes to the fees.

MOTION: **Senator Nelson** moved to approve **Docket No. 43-0101-1900F**. **Senator Mortimer** seconded the motion. The motion passed by **voice vote**.

DOCKET NO. 02-0701-1900F **Candi Fitch**, Executive Director, Idaho Hop Growers Commission presented **Docket No. 02-0701-1900F**. She said the changes to the docket included the elimination of redundant wording. The fees remained the same.

MOTION: **Senator Lent** moved to approve **Docket No. 02-0701-1900F**. **Senator Jordan** seconded the motion. The motion passed by **voice vote**.

DOCKET NO. 02-0801-1900F **Naomi LeGere-Gordon**, Executive Director Idaho Sheep and Goat Health Board, presented **Docket No. 02-0801-1900F**. She said the changes to the docket removed unnecessary wording and replaced the Latin wording with more commonly used language. She stated there were no changes to the fees.

MOTION: **Senator Bayer** moved to approve **Docket No. 02-0801-1900F**. **Senator Nelson** seconded the motion. The motion passed by **voice vote**.

DOCKET NO. 42-0101-1900F **Blaine Jacobson**, Executive Director, Idaho Wheat Commission, presented **Docket No. 42-0101-1900F**. He said in 2017 the Wheat Commission made substantial updates to the rules, thereby the changes for the RTRA were minimal. He stated the fees remain the same.

MOTION: **Senator Mortimer** moved to approve **Docket No. 42-0101-1900F**. **Senator Harris** seconded the motion. The motion passed by **voice vote**.

DOCKET NO. 51-0101-1900F **T.K. Kuwahara**, Chief Executive Officer, Idaho Beef Council (IBC), presented **Docket No. 51-0101-1900F**. She stated IBC's approach to rules reduction was in line with the RTRA. The reductions made were to remove the common business practices of the IBC which did not need to be in the rule. She said there were no changes made to the fees.

MOTION: **Senator Harris** moved to approve **Docket No. 51-0101-1900F**. **Senator Mortimer** seconded the motion. The motion passed by **voice vote**.

DOCKET NO. 53-0101-1900F **Laura Wilder**, Administrator, Idaho Barley Commission presented **Docket No. 53-0101-1900F**. She said the RTRA was an opportunity for the Barley Commission to review the rules line-by-line and make adjustments. She stated the repetitive and restrictive words were removed from the rules. She reported that there were no changes to the fees.

MOTION: **Senator Jordan** moved to approve **Docket No. 53-0101-1900F**. **Chairman Guthrie** seconded the motion. The motion passed by **voice vote**.

PASSED THE GAVEL: Vice Chairwoman Den Hartog passed the gavel to Chairman Guthrie.

RS 27199 **Chanel Tewalt**, Chief Operating Officer, ISDA, presented **RS 27199**; Relating to Food. She said the purpose of the proposed legislation is to repeal Idaho Code, Title 37 Chapter 16; governing regulations for food labeling on some imported food, and Title 37 Chapter 26; governing the enrichment of bread and flour. She said the past standards have been superseded by other regulations set by federal regulations.

MOTION: **Senator Mortimer** moved to send **RS 27199** to print. **Vice Chairwoman Den Hartog** seconded the motion. The motion passed by **voice vote**.

RS 27200 **Ms. Tewalt** presented **RS 27200**; Relating to Weighmaster licensing. She explained the ISDA review of the RTRA from the Office of the Governor and the results. They determined the licensure does not meet the Licensing Freedom Act threshold for continuation as a regulatory requirement. She stated removing the licensure would not harm the public, the benefits of regulation do not outweigh the costs to consumers, and the consumer can be protected in a less restrictive manner, while preserving the weigh ticket standards.

In response to Committee concerns, **Ms. Telwalt** said the scale is inspected and licensed, the scale inspector is licensed, and the specifications on the weight ticket are preserved.

MOTION: **Senator Harris** moved to send **RS 27200** to print. **Vice Chairwoman Den Hartog** seconded the motion.

DISCUSSION: **Senator Patrick** stated he will vote to send the proposed legislation to print, but will have questions when the bill returns to the Committee.

VOICE VOTE: The motion to send **RS 27200** to print passed by **voice vote**

RS 27201 **Ms. Tewalt** presented **RS 27201**; Relating to Agriculture. She said the purposed legislation will eliminate obsolete and unnecessary restrictions in Idaho Code §§ 22-103, 22-608, and 22-2208. The purposed legislation removes the requirement for ISDA to set a late payment interest rate in rule. The changes will adjust the fertilizer, and soil and plant amendments tonnage reporting from semi-annual to annual.

MOTION: **Vice Chairwoman Den Hartog** moved to send **RS 27201** to print. **Senator Mortimer** seconded the motion. The motion passed by **voice vote**.

ADJOURNED: There being no further business at this time, **Chairman Guthrie** adjourned the meeting at 8:40 a.m.

Senator Jim Guthrie
Chair

LeAnn Mohr
Secretary

AGENDA
SENATE AGRICULTURAL AFFAIRS COMMITTEE
8:00 A.M.
Room WW53
Thursday, January 16, 2020

SUBJECT	DESCRIPTION	PRESENTER
Docket No. <u>02-0000-1900</u>	Department of Agriculture; Sections: 02.04.24 and 02.05.01 Notice of Omnibus Rulemaking, Pages 4-16	Brian Oakey, Idaho State Department of Agriculture
Docket No. <u>02-0000-1900A</u>	Department of Agriculture; Sections: 02.01.03; 02.01.01; 02.04.13; 02.04.20; 02.04.21; 02.04.25; 02.04.27; and 02.04.29 Notice of Omnibus Rulemaking, Pages 17 -87	Mr. Oakey
Docket No. <u>02-0000-1900F</u>	Department of Agriculture; Sections 02.01.04; 02.01.05; and 02.06.33 Notice of Omnibus Rulemaking, Pages 4 - 21	Mr. Oakey
Docket No. <u>02-0000-1900FA</u>	Department of Agriculture; Sections 02.02.11; 02.02.12; 02.02.13; 02.02.15; and 02.06.06 Notice of Omnibus Rulemaking, Pages 22-91	Mr. Oakey

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COMMITTEE MEMBERS

Chairman Guthrie
Vice Chairman Den Hartog
Sen Patrick
Sen Harris
Sen Mortimer

Sen Lent
Sen Bayer
Sen Jordan
Sen Nelson

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MINUTES
SENATE AGRICULTURAL AFFAIRS COMMITTEE

DATE: Thursday, January 16, 2020

TIME: 8:00 A.M.

PLACE: Room WW53

MEMBERS PRESENT: Chairman Guthrie, Vice Chairwoman Den Hartog, Senators Patrick, Harris, Mortimer, Lent, Bayer, Jordan, and Nelson

ABSENT/ EXCUSED: None

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CONVENED: **Chairman Guthrie** called the Senate Agricultural Affairs Committee (Committee) to order at 8:04 a.m.

PASSED THE GAVEL: Chairman Guthrie passed the gavel to Vice Chairwoman Den Hartog.

DOCKET NO. 02-0000-1900 **Brian Oakey**, Deputy Director, Idaho State Department of Agriculture (ISDA), presented **Docket No. 02-0000-1900**. He spoke to the restructuring of the rules in Section 02.05.01, Rules Governing Product Safety. He stated ISDA followed the guidelines of the Red Tape Reduction Act (RTRA) from the Office of the Governor to complete the process. He reported the efforts ISDA carried out to condense the dockets.

Dr. Bill Barton, Administrator and State Veterinarian, ISDA, spoke to the changes made in Section 02.04.24, Rules Governing Tuberculosis. He said the definitions and descriptions in some of the sections were updated to meet current practices. He said redundancies have been removed. He walked the Committee through the changes.

MOTION: **Senator Harris** moved to approve **Docket No. 02-0000-1900**. **Senator Bayer** seconded the motion. The motion passed by **voice vote**.

DOCKET NO. 02-0000-1900A **Mr. Oakey** presented **Docket No. 02-0000-1900A**. He said the changes addressed the docket sections in the areas of airborne control of unprotected or predatory animals, rules for artificial dairy products, rules governing raw milk, brucellosis, importation of animals, private feeding of big game animals, deleterious exotic animals, and trichomoniasis. He said there were multiple changes to the docket that reduced redundancy and streamlined administrative processes, all within the RTRA guidelines.

Dr. Barton spoke to Section 02.04.29; Rules Governing Trichomoniasis. He walked the Committee through the changes.

MOTION: **Senator Harris** moved to approve **Docket No. 02-0000-1900A**. **Senator Nelson** seconded the motion. The motion passed by **voice vote**.

DOCKET NO. 02-0000-1900F **Mr. Oakey** presented **Docket No. 02-0000-1900F**. He explained the updates, removal of redundancies, and streamlining of the rules governing the Idaho Preferred Promotion Program. He stated there were no changes to the fees.

Cindy Stark, Administrator, ISDA, reported the changes and reductions to the Rules Governing Certificates of Free Sale and Organic Food Products Rules. She said the organic rules within the docket are in compliance with the United States Department of Agriculture; ISDA is the certifier.

MOTION: **Senator Mortimer** moved to approve **Docket No. 02-0000-1900F**. **Chairman Guthrie** seconded the motion. The motion passed by **voice vote**.

DOCKET NO. 02-0000-1900FA **Mr. Oakey** presented **Docket No. 02-0000-1900FA**. He said for this docket, ISDA conducted negotiated rulemaking and reported the number of comments that were received. He explained the rules consolidation and the removal of redundancy statements within the docket. He reported the combining of chapters and the fee changes.

He reported to the Committee that the Weights and Measurements section of the docket had inadvertently been left out of the online rule book. The correction has been made and is now available.

Vice Chairwoman Den Hartog said **Docket No. 02-0000-1900FA** will require further review by the Committee and will not be voted on today.

PASSED THE GAVEL: Vice Chairwoman Den Hartog passed the gavel to Chairman Guthrie.

ADJOURNED: There being no further business at this time, **Chairman Guthrie** adjourned the meeting at 8:56 a.m.

Senator Jim Guthrie
Chair

LeAnn Mohr
Secretary

AGENDA
SENATE AGRICULTURAL AFFAIRS COMMITTEE
8:00 A.M.
Room WW53
Tuesday, January 21, 2020

SUBJECT	DESCRIPTION	PRESENTER
Presentation:	University of Idaho	
	College of Agricultural and Life Sciences Initiative Updates	Dean Michael Parrella, College of Agricultural and Life Sciences
	Aberdeen Research Center Project Updates	Dr. Juliet Marshall, Research Professor, Plant Pathologist
	Financial Condition of Idaho Agriculture	Dr. Garth Taylor, Ag Economist, University of Idaho
Docket No. <u>02-0000-1900FA</u>	Department of Agriculture - Omnibus Fee Rule	Brian Oakey, Deputy Director, Idaho State Department of Agriculture
Docket No. <u>02-0104-1901</u>	Rules Governing the Idaho Preferred Promotion Program	Mr. Oakey
Docket No. <u>46-0101-1900F</u>	Idaho Board of Veterinary Medicine	Jeremy Brown, Executive Director, Idaho Board of Veterinary Medicine
Docket No. <u>46-0101-1902</u>	Rules of the State of Idaho Board of Veterinary Medicine	Mr. Brown
Docket No. <u>60-0000-1900F</u>	Idaho State Soil and Water Conservation Commission	Corrine Dalzell, Rules Review Officer, Idaho Soil & Water Conservation Commission

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Guthrie	Sen Lent
Vice Chairman Den Hartog	Sen Bayer
Sen Patrick	Sen Jordan
Sen Harris	Sen Nelson
Sen Mortimer	

COMMITTEE SECRETARY

LeAnn Mohr
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MINUTES
SENATE AGRICULTURAL AFFAIRS COMMITTEE

DATE: Tuesday, January 21, 2020

TIME: 8:00 A.M.

PLACE: Room WW53

MEMBERS PRESENT: Chairman Guthrie, Vice Chairwoman Den Hartog, Senators Patrick, Harris, Mortimer, Lent, Bayer, and Nelson

ABSENT/ EXCUSED: Senator Jordan

NOTE: The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the Committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Guthrie** called the Agricultural Affairs Committee (Committee) to order at 8:00 am.

PRESENTATION: **Dean Michael Parrella**, College of Agricultural and Life Sciences (CALS), University of Idaho (UI), presented the CALS Initiative Updates. He spoke about the three ongoing initiatives in CALS: 1.) Nancy M. Cummings Research, Extension and Education Center; 2.) Idaho Center for Agriculture, Food and the Environment; and 3.) Idaho Center for Plant and Soil Health. He explained the funding partnerships, the areas of study in each initiative, the consumers, and the impact to the state. He concluded his presentation with a video highlighting UI research and how the research expansion is benefiting the state.

Dr. Juliet Marshall, Research Professor, Extension Specialist — Plant Pathologist, CALS, UI, presented Advancing Scientific Methods to Improve Agricultural Sustainability and Aberdeen Research and Extension Center (AREC) project updates. She detailed the demographics of AREC and the locations it serves. She reviewed the plants that are studied and the diseases AREC works to identify and eradicate. She said through the work on predictive and reactive diagnostics, the staff at AREC can provide solutions to growers to help them minimize the use of pesticides and herbicides. **Dr. Marshall** said with the advancements in technology, growers can now access the real time disease data.

Dr. Garth Taylor, Agricultural Economist, UI, presented the Financial Condition of Idaho Agriculture. He reported Idaho's national top rankings in the agricultural economy; crop and cash. He detailed the cash receipts growth in the past year and how dairy (milk) is a third of those receipts. He said there are over 600,000 cows in the state. He detailed how the dairy industry also impacts farming. **Dr. Taylor** spoke about the importance of agriculture to the state's economy and detailed the upward trend in agriculture income in Idaho. In this state, he said agriculture is outperforming industry. He concluded the presentation by addressing the 2020 economic outlook which indicates the continuation of strong agricultural growth (see attachment 1).

PASSED THE GAVEL: Vice Chairman Guthrie passed the gavel to Vice Chairwoman Den Hartog.

DOCKET NO. 02-0000-1900FA **Brian Oakey**, Deputy Director, Idaho State Department of Agriculture (ISDA), presented **Docket No. 02-0000-1900FA**. He explained to the Committee that this docket was originally presented on January 16, 2020 and was held until Committee members could review the weighmaster section that had inadvertently been omitted.

Vice Chairwoman Den Hartog said the questions and concerns regarding cervidae issues in this docket had also been addressed. She said the Committee has had time to review the omitted section.

MOTION: **Senator Harris** moved to approve **Docket No. 02-0000-1900FA**. **Senator Mortimer** seconded the motion. The motion passed by **voice vote**.

DOCKET NO. 02-0104-1901 **Mr. Oakey** introduced Laura Johnson, Bureau Chief, Market Development Division, ISDA, to present **Docket No 02-0104-1901**; Rules Governing the Idaho Preferred Promotion Program (Program). **Ms. Johnson** said the Program engaged in negotiated rulemaking to make changes to product qualifications. She stated changes to this rule allow more industry sectors to participate in the Program. Changes were also made to reflect consistency. She detailed the negotiated rulemaking process and reported the number of people who attended the meetings. She said all members, stakeholders, and retailers received a copy of the rules for their review.

Ms. Johnson walked the Committee through the changes. She spoke about the definition additions to production qualifications for beer, beef, and game meat. She said to be classified in the Program, products must be manufactured in Idaho.

MOTION: **Senator Mortimer** moved to approve **Docket No. 02-0104-1901**. **Senator Patrick** seconded the motion. The motion passed by **voice vote**.

DOCKET NO. 46-0101-1900F **Jeremy Brown**, Executive Director, Idaho Board of Veterinary Medicine (Board), presented **Docket No. 46-0101-1900F**, Idaho Board of Veterinary Medicine: Omnibus Rule. He said the changes to the docket were in line with the Red Tape Reduction Act (RTRA) and include the removal of out-dated, redundant, and repetitive language, making the rules more efficient. He detailed the specific changes and reported the fees in this docket remain unchanged.

Vice Chairwoman Den Hartog explained the reason to first approve the omnibus docket with the prior fee scale before the Committee could address the fee increases that will be presented in the traditional docket.

MOTION: **Senator Patrick** moved to approve **Docket No. 46-0101-1900F**. **Senator Mortimer** seconded the motion. The motion passed by **voice vote**.

DOCKET NO. 46-0101-1902 **Mr. Brown** presented **Docket No. 46-0101-1902**, Rules of the State of Idaho Board of Veterinary Medicine (Board); Pending Fee rule. He said the Board is seeking to increase the fees. He walked the Committee through the fee increases of licensure and certification. He said diminished revenue has impacted the ability of the Board to accomplish its scope of responsibility. He detailed the negotiated rulemaking efforts and stated the Board approves the fee increase.

In response to Committee concerns, **Mr. Brown** replied that over the last three years, the Board has experienced a steady decline in the account balance. The increase in the fee structure should accommodate the Board's work for the next six to eight years. He reported there were fee increases in 1999 and in 2015.

Committee members requested the Board provide more account information before a vote would be taken.

MOTION: **Senator Mortimer** moved to hold **Docket No. 46-0101-1902** in Committee until the financial information requested is provided to the Committee. **Chairman Guthrie** seconded the motion. The motion passed by **voice vote**.

DOCKET NO. 60-0000-1900F **Corrine Dalzell**, Rules Review Officer, Idaho Soil & Water Conservation Commission (Commission), presented **Docket No. 60-0000-1900F**; Idaho State Soil and Water Conservation Commission. She explained the process the Commission undertook to comply with the RTRA. She said rules that were obsolete, outdated, or unnecessary were removed. She explained how the Commission consolidated four rules into one rule with two subchapters. She reported negotiated rulemaking occurred and explained the changes made to the rule. She stated there were no changes to the fees.

MOTION: **Senator Patrick** moved to approve **Docket No. 60-0000-1900F**. **Senator Lent** seconded the motion. The motion passed by **voice vote**.

PASSED THE GAVEL: Vice Chairwoman Den Hartog passed the gavel to Chairman Guthrie.

ADJOURNED: There being no further business at this time, **Chairman Guthrie** adjourned the meeting at 9:27 a.m.

Senator Jim Guthrie
Chair

LeAnn Mohr
Secretary

**Senate Agricultural Affairs Committee
Chair: Senator Jim Guthrie**



University of Idaho

College of Agricultural
and Life Sciences

State of the College: *Michael P. Parrella, Dean*

Research Report: *Juliet Marshall*

Financial Condition of Idaho Ag: *Garth Taylor*

January 21, 2020





Fast Facts

Enrollment: 11,841

Degrees Granted: 128,613

School Colors: Silver & Gold

Founded: 1889

President: C. Scott Green

Mascot: Joe Vandal

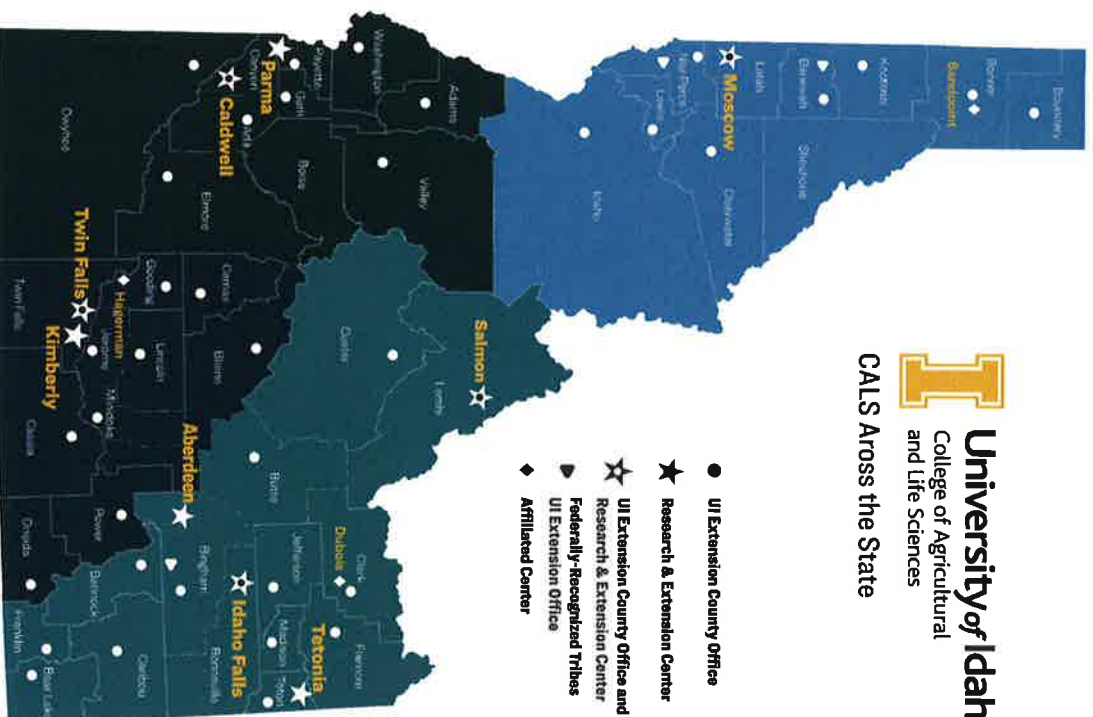


LAND GRANT MISSION

- Expand the opportunity for the working class to obtain a higher education; designed to meet utilitarian and "useful" ends
- Emphasize the emerging applied sciences, particularly agricultural science and engineering
- Creation of the **Agricultural Experiment Station** (Hatch Act of 1887) and **Cooperative Extension** (Smith-Lever Act of 1914); all faculty in the college are mandated to extend knowledge and improve the lives of Idahoans



CALS Across the State



LAND GRANT MISSION

TEACHING, RESEARCH & OUTREACH



- Over 73,000 Idaho youth involved with UI Extension 4-H Youth Development
- Over \$1M in scholarships awarded
 - Most of any college at U of I
- Only institution in Idaho to prepare ag teachers
 - 95/113 districts have ag programs
 - 90% ag teachers have CALS degree
- Top college at U of I in research expenditures
 - 20% of sponsored project activity



COLLEGE INITIATIVES

- Ongoing effort to modernize our facilities but building/renovating existing facilities is expensive
- Three-way partnership: University/CALS + Industry + State
- No one entity can accomplish this effort alone
- Funding committed by CALS comes from local service/research generating activities related to the proposed initiatives
- To learn more about all our initiatives:
 - Tuesday, January 21 at 11:30 am in Senate Majority Caucus Room



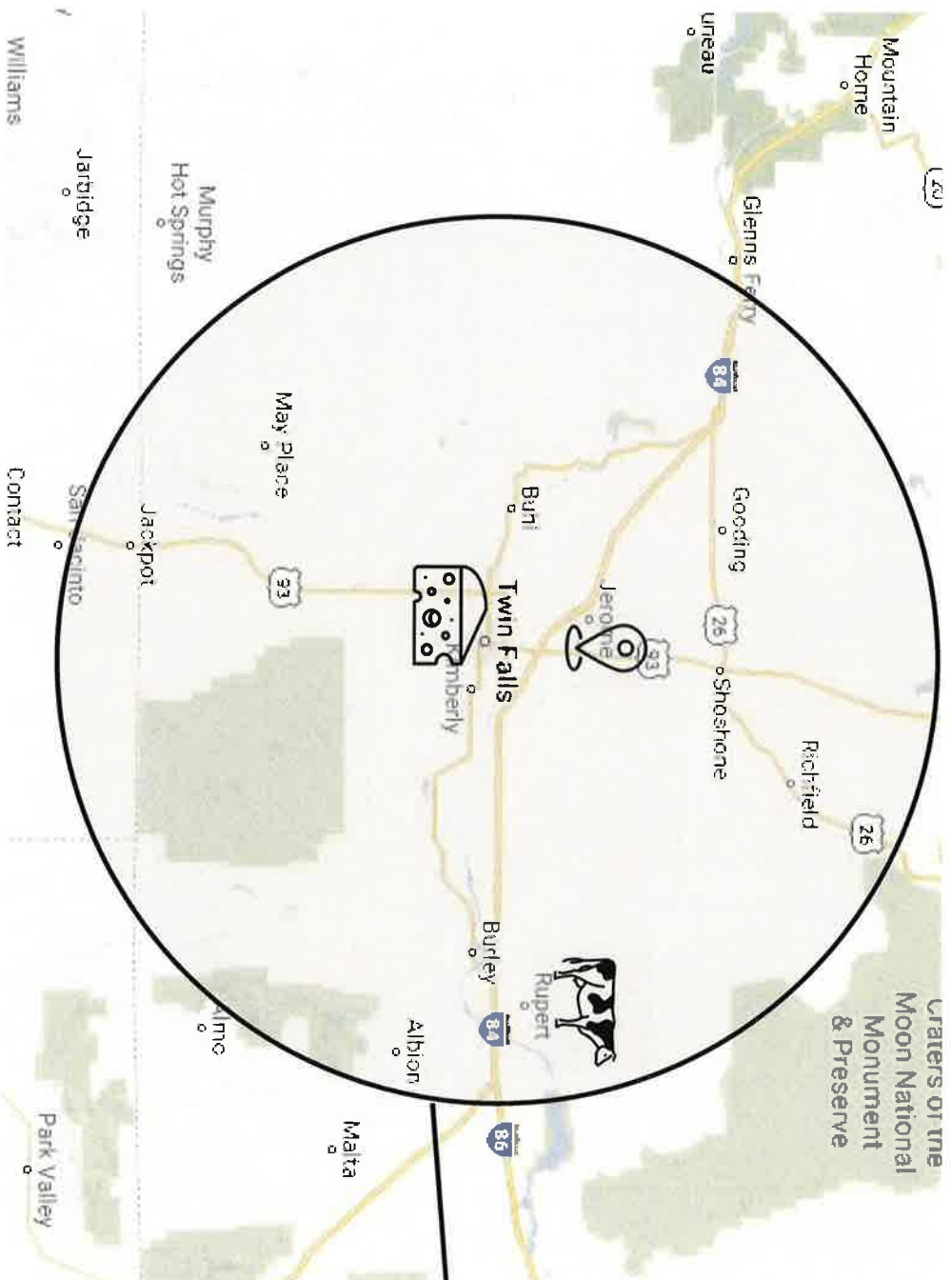
NMCREEC CLASSROOM & OUTREACH FACILITY

- Located at the Nancy M. Cummings Research, Extension & Education Center, will enhance teaching, research and outreach to serve local community and livestock industry
- Funded by partnership between CALS, the Auen and Berger Foundations, Idaho cattle industry, and private producers
- Moved into facility in **December 2019**; Grand opening in **May 2020**
- Comparative research on grazing (irrigated vs. rangeland) conducted with **Rinker Rock Creek Ranch** located near Hailey, ID
- **\$3 million facility:** private donations and CALS



IDAHO CENTER FOR AGRICULTURE, FOOD AND THE ENVIRONMENT (CAFE)

- It is our goal to build and operate the **largest integrated research facility** focused on **dairy** and **allied industry** in the United States.
- The project will include a **research dairy, agronomic field plots, discovery center** and **food processing/workforce training facility** located in the Magic Valley.
- CAFE will have both a **physical presence** and a **national and international reputation** that reflects the size, quality and importance of the industry it represents.



REGIONAL MODEL



Research Dairy

- Located in Rupert, within 50 miles of discovery complex
- Off-site location ensures biosecurity
- Build a new facility on permitted land
- 2,000 cows



Discovery Complex

- Located at Crossroads Point in Jerome
- Intersection of Hwy 93 and I-84
- High visibility
- Research laboratories and housing
- Tells the story of Idaho agriculture



Food Processing Education

- Located on the CSI campus adjacent to vocational training center
- Focus on expanding future workforce
- Food processing research conducted



CAFE OVERVIEW

PROGRAMMATIC AREAS

■ Animal Related Research	Value added, robotics, genomics, animal welfare
■ Agronomic Research	Crop rotation, soil health, water quality, nutrient management
■ Food Science Research	Processing and product innovation, food safety and quality, sustainability
■ Risk Mgmt Research & Education	Endowed Chair for Risk Management, dairy/crops market risk management strategies for producers and processors
■ Outreach and Extension	Career and technical training, continuing education, agriculture education including K-12, 4-H and FFA
■ Workforce/Economic Development	Distance education, worker safety, build a workforce pipeline for the community; Chobani Scholars Program
■ Data Science Core	Links the various research programs together and develops capacity to handle the vast amounts of data that will be developed



PROGRESS OVER THE PAST 8 MONTHS

- I** SBOE finalized the purchase of the Rupert property in partnership with IDA
 - ✓ Hired a project manager to facilitate dairy construction
 - ✓ Formed an Internal Advisory Board to develop baseline data at the Rupert Site
- I** SBOE finalized the purchase of the Crossroads property
 - ✓ Formed an outreach/advisory committee to design the discovery center
- I** Met with CSI faculty/administration to discuss plans for the food processing facility; improve 2+2 connections; develop 4-year degrees
- I** Dr. Bob Collier, new head for Animal & Veterinary Science (*from U of AZ*)
- I** Fundraising continues; sale of UI property; release of state funds fall '19



IDAHO CENTER FOR PLANT AND SOIL HEALTH



- Renovations to the Parma Research & Extension Center facilities including **equipment** and **infrastructure** to support research and Extension efforts

- Enhance **recruitment/retention** of best faculty, expand **graduate student** training and attract **nationally competitive** grant funding

- Campaign launched in March 2019

- **\$7 Million** project cost

- **\$1 Million** contribution by UI CALS

- Over **\$2 Million** raised from industry to date; including gifts from 7 different commodity groups

- Highlights Parma's impact on **all of Idaho agriculture**





VIDEO





University of Idaho Extension

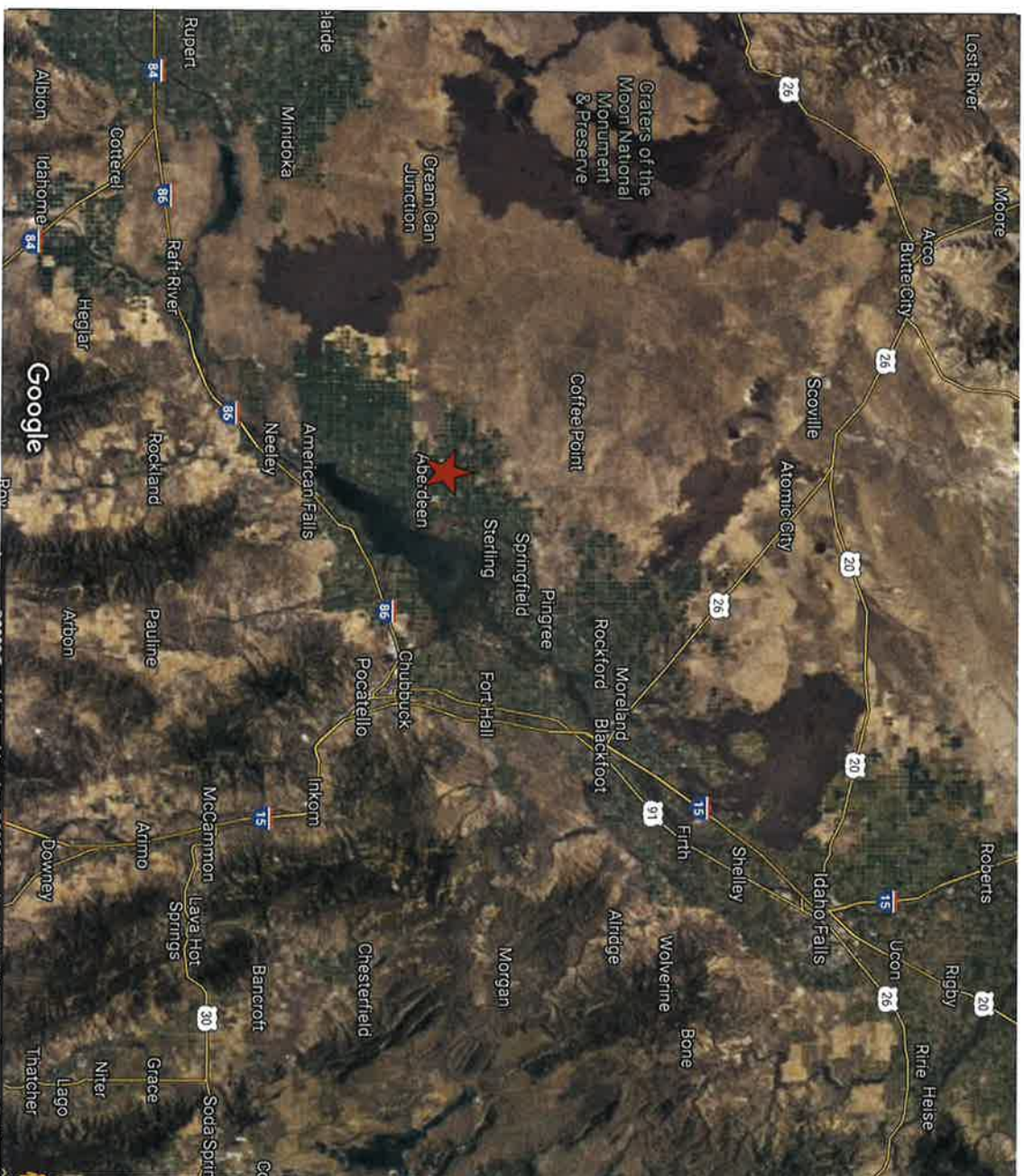
Dr. Juliet Marshall

*Idaho Wheat Commission Endowed Professor
'Potlatch Joe Anderson Cereal Agronomics'*



**ADVANCING
SCIENTIFIC METHODS
TO IMPROVE
AGRICULTURAL
SUSTAINABILITY**

University of Idaho Extension



Aberdeen R&E Center

19 Scientists

9 UI Faculty

9 ARS Scientists

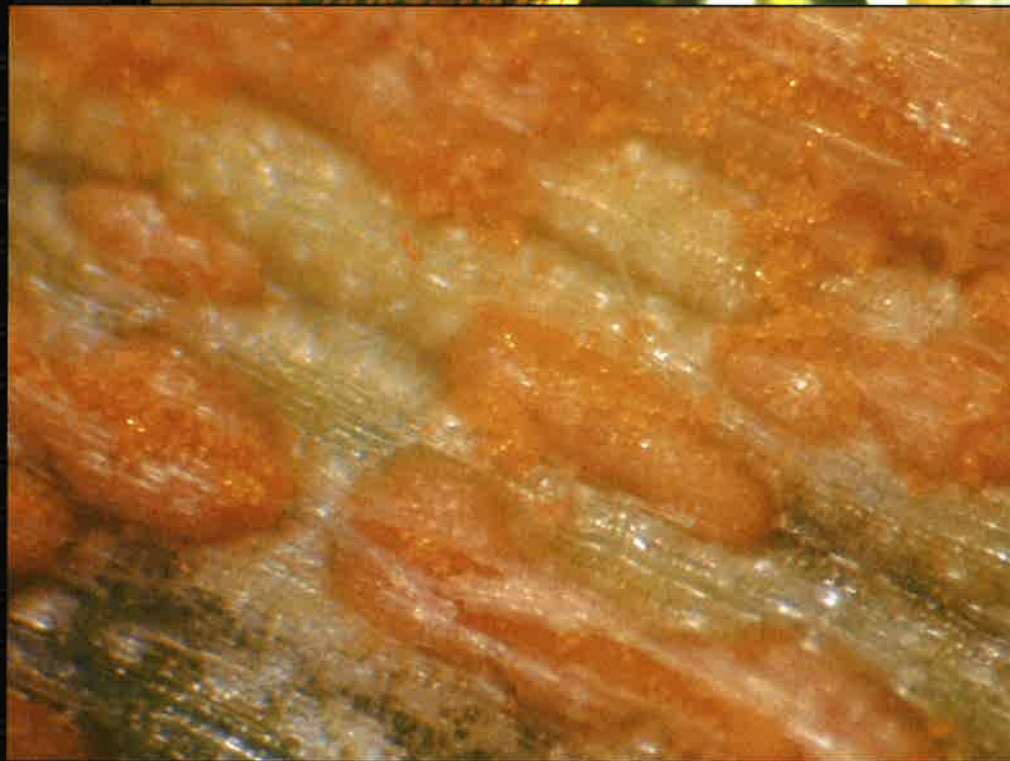
2 NRCS Scientists

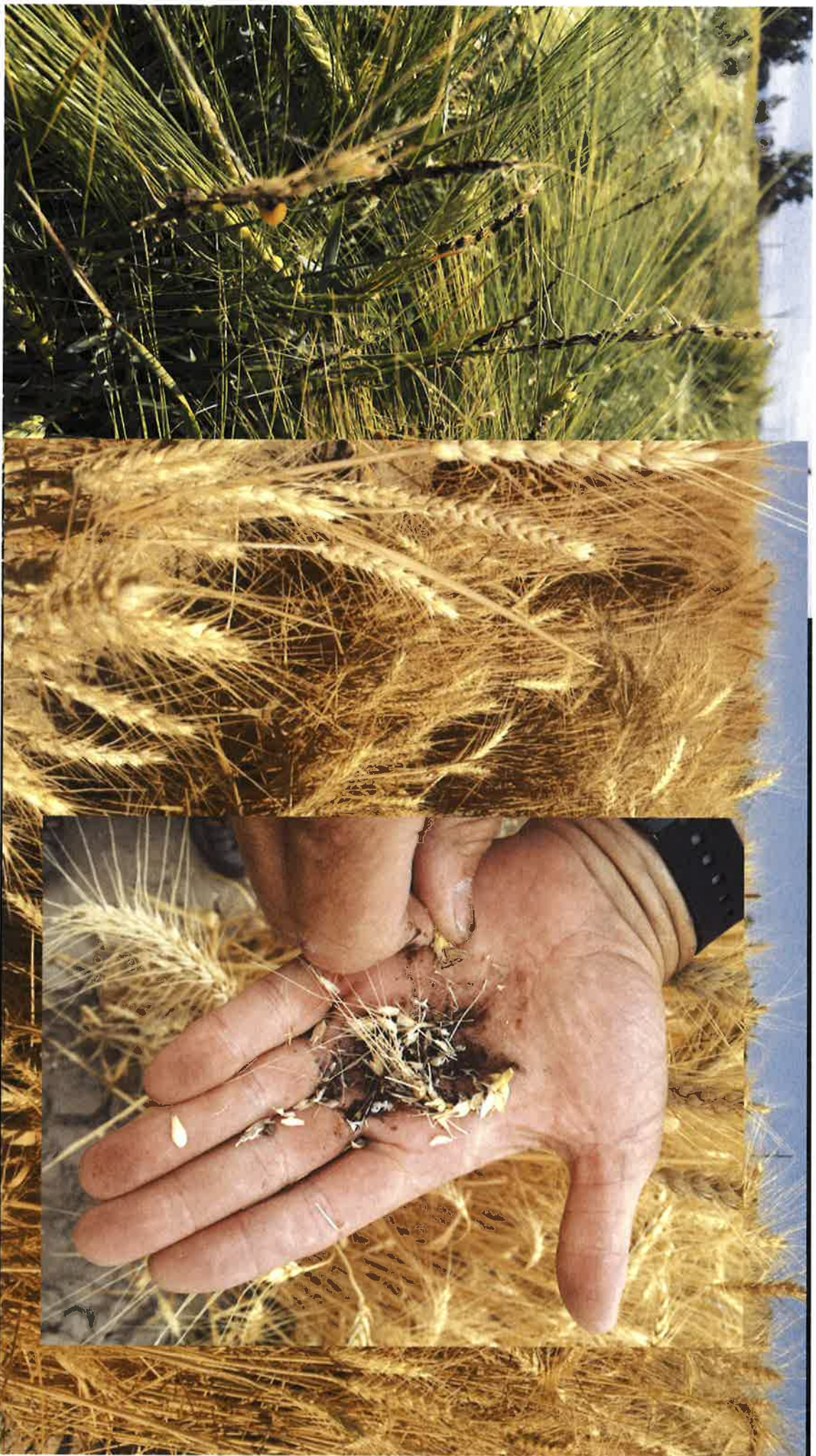
70 Support Staff

9 Graduate students and post-docs





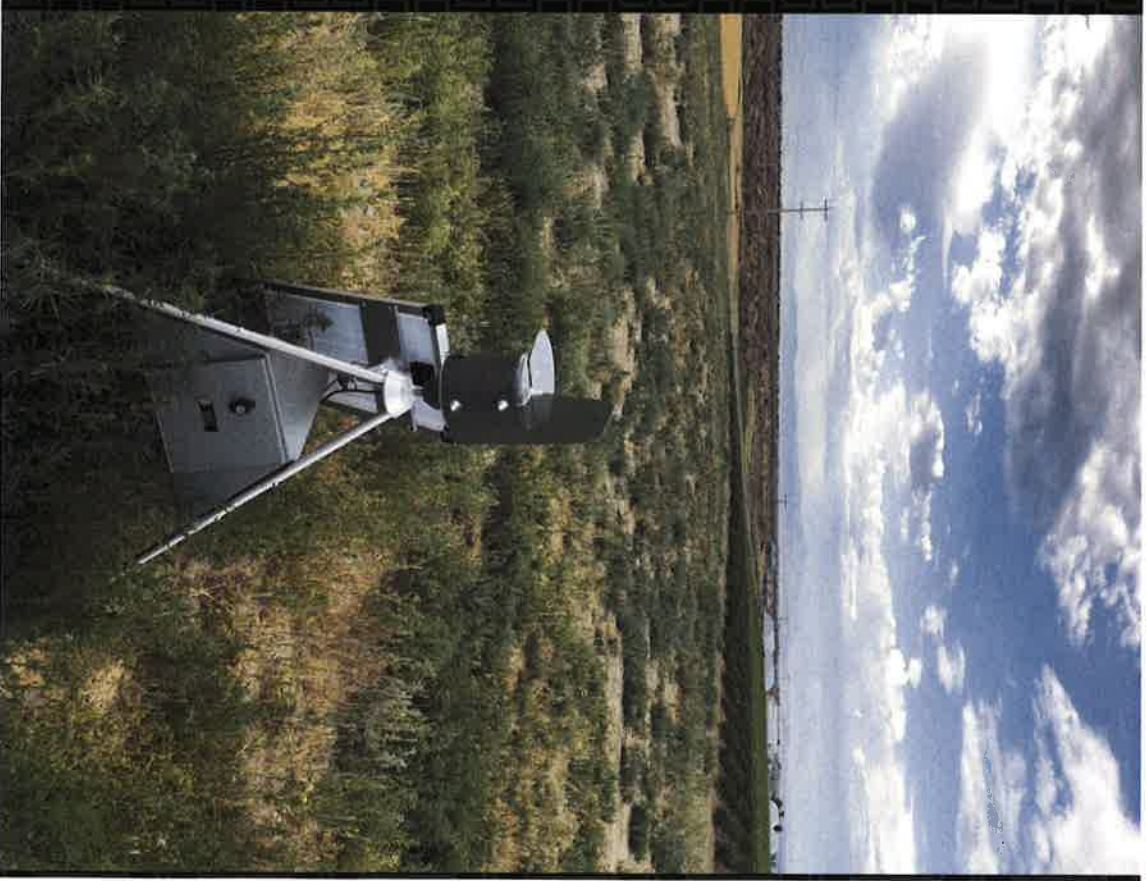






DEVELOPING METHODS FOR AN EARLY WARNING DETECTION SYSTEM FOR FOLIAR PATHOGENS

PREDICTIVE DIAGNOSTICS



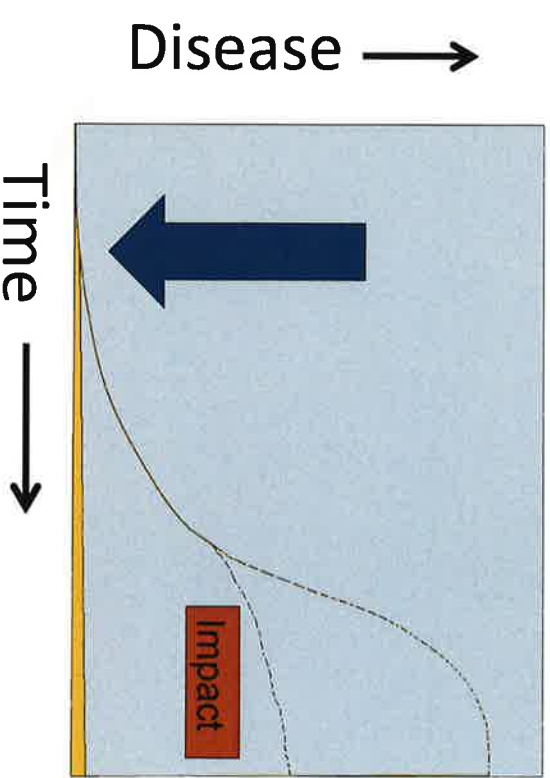
PREDICTIVE DIAGNOSTICS

'Reactive diagnostics'

- Identify causal agent
- Correct rectifying treatment
- Disease intelligence

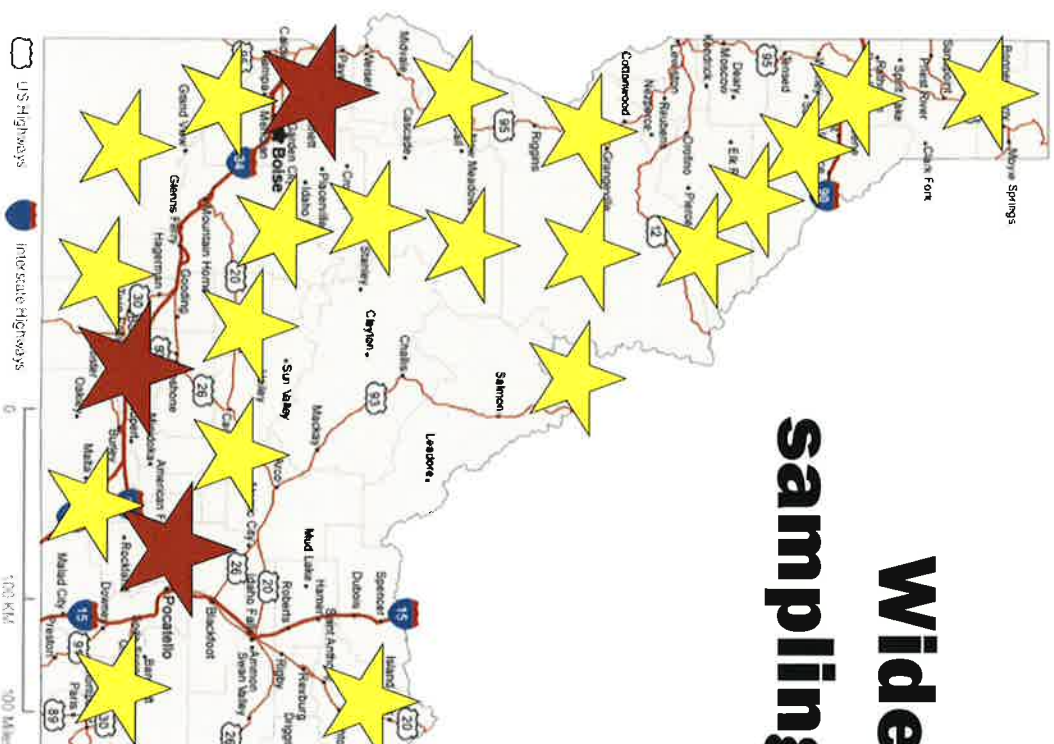
'Predictive diagnostics'

- Precision agriculture/horticulture
- Planting decisions
- Reduce pesticide inputs & losses



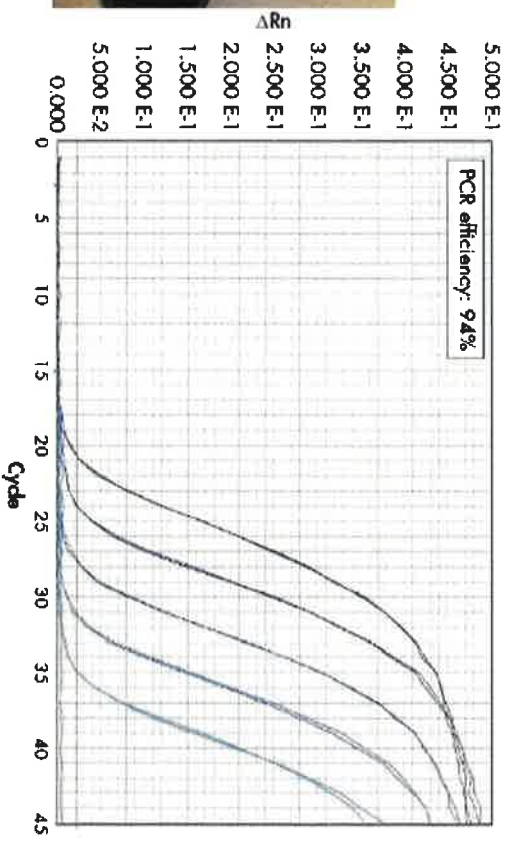
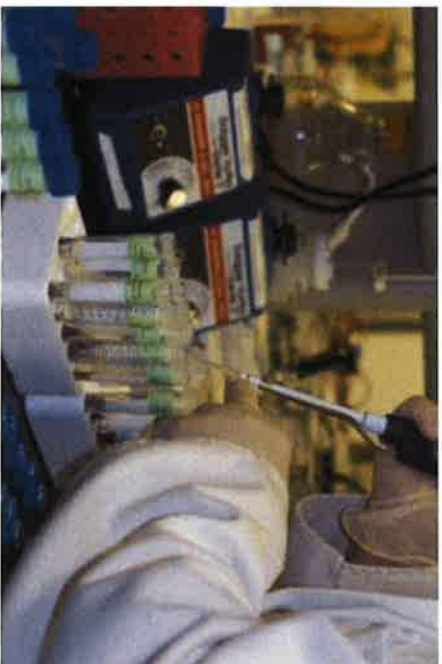
Existing support from:

- Sugar Beet
- Onions
- Potatoes
- Barley
- Wheat



Wider spore sampling network?

REAL-TIME PCR FROM SPORE SAMPLES IN THE LAB



DNA
extraction

Multiplex Quantitative
real-time PCR

Determine relative
levels of Stripe rust,
Powdery Mildew,
Fusarium head blight

Agricultural and Environmental Benefits

Breeding

- Search for resistant parents
- Resistance is often partial (no silver bullets)
- Gene editing effective in enhancing native resistance

Gene Editing

- Rapid progress with small yet effective change
- No introduction of novel genes
- Modify existing genes to enhance traits which may be difficult to achieve through traditional methods

Access

- Public Sector Institutions provide proof-of-concept
- Work enhances traits and crops not commercially viable
- Environmental and Food Safety is priority





University of Idaho
Extension

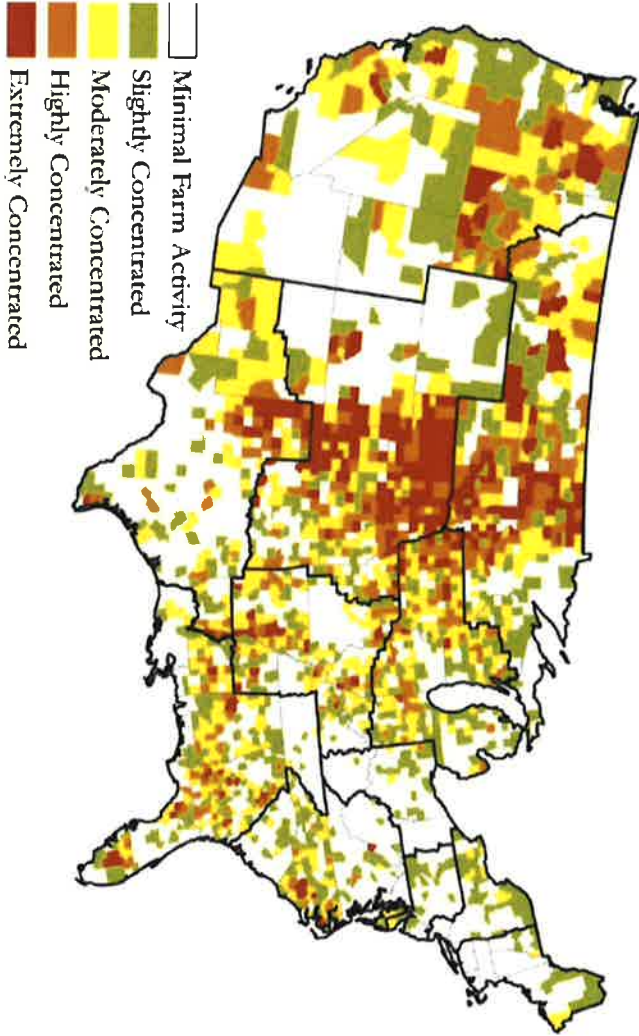
Financial Condition of Idaho Agriculture, 2019

**Senate Ag Committee,
Jan 21, 2020
Rita Du, Ben Eborn, and Garth Taylor**



Ag Dependent Counties

Farm Sector Concentration

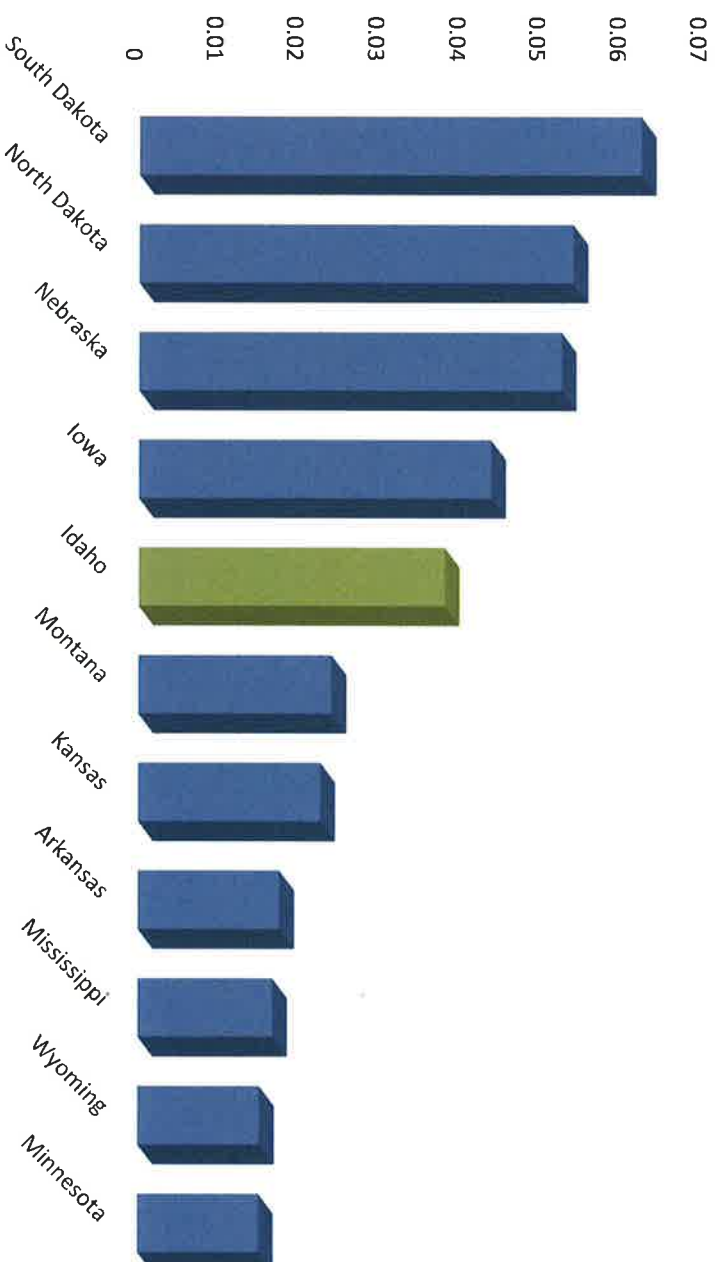


Source: BEA and staff calculations.



Idaho - 5th largest Ag economy

Farm GDP as percent of State Total GDP 2017



Source: BEA



MULTIPLIER EFFECTS...AGBIZ IDAHO'S LARGEST INDUSTRY

Exports – new dollars - drive an economy

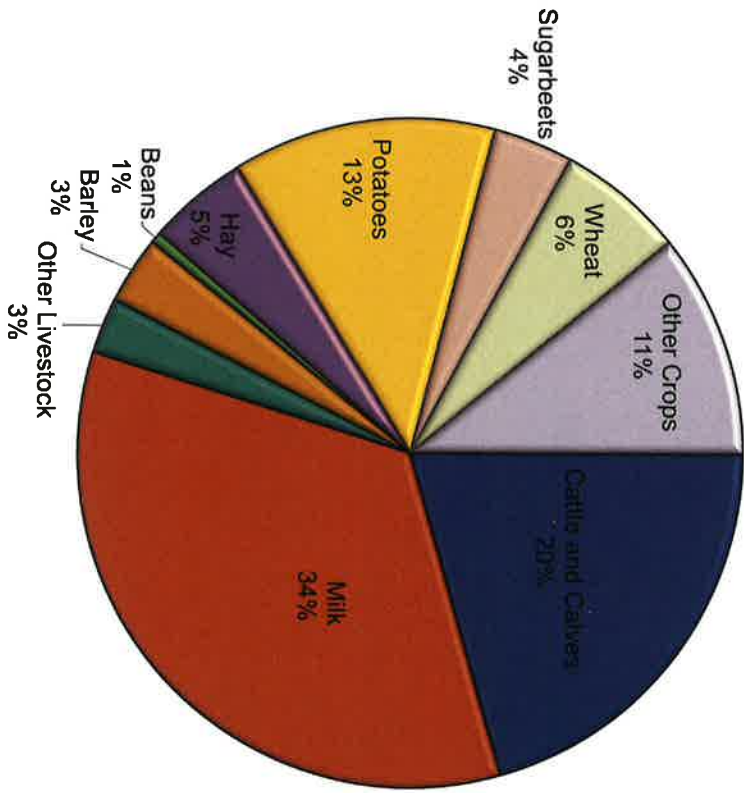
- \$26 billion in sales, 18% of Idaho's total economic output
- 123,000 Idaho jobs, 1 in every 8 jobs in the state
- \$10 billion in value added, 13% of Idaho GDP

Source: Watson U of ID

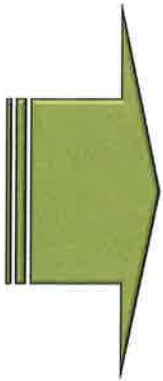


Second Highest Cash Receipts

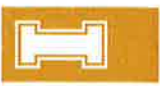
Idaho Cash Receipts, 2019



\$8.3 billion, 2019



\$7.5 billion, 2018



Cash Receipt: Ups & Downs

Crops \$3.6 billion, ↑12%

Livestock \$4.8 billion, ↑10%

Potatoes: ↑15%

Cattle & Calves: ↓1%

Barley: ↑17%

Milk: ↑19%

Wheat: ↓1%

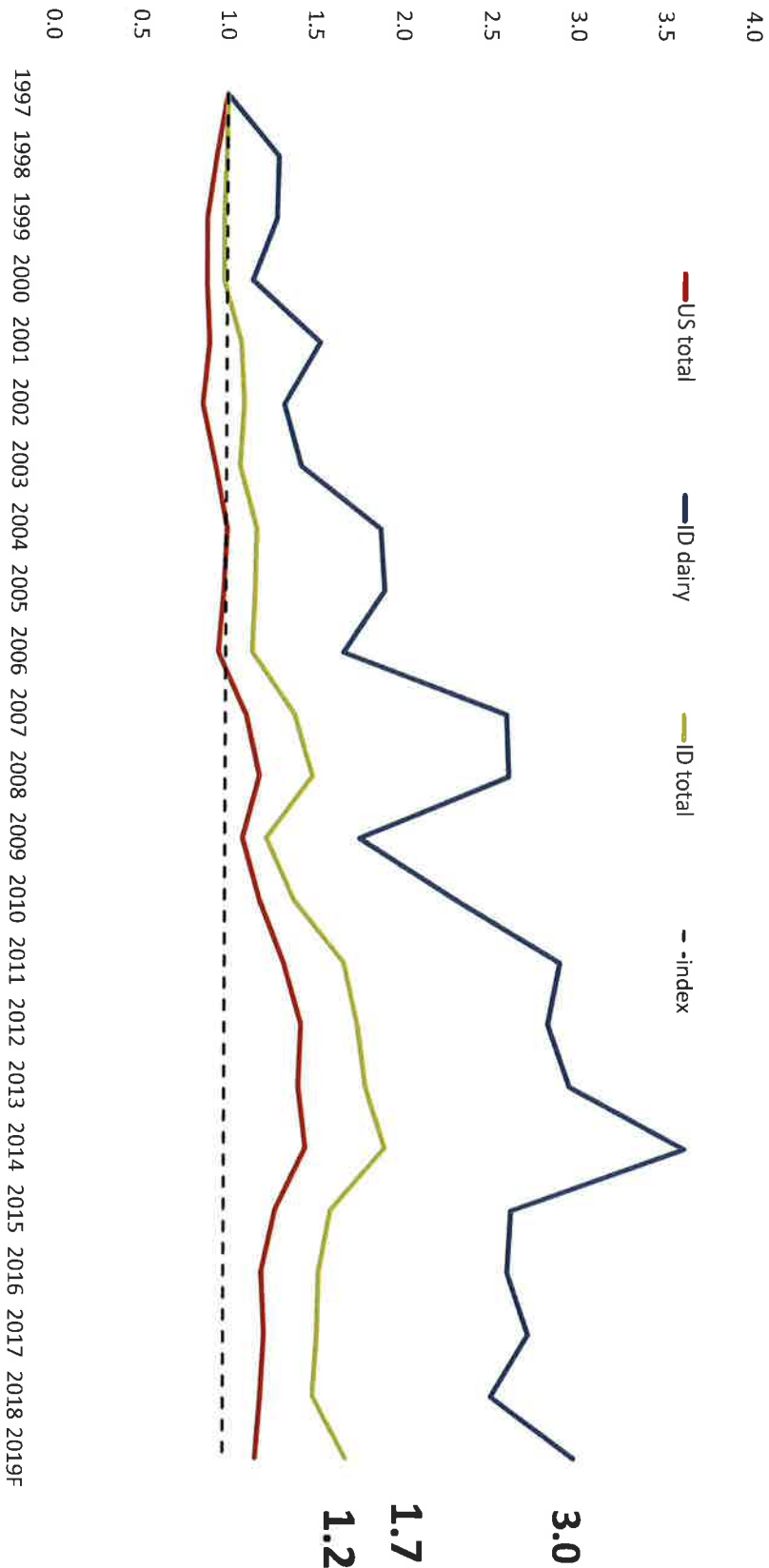
Sugarbeets: ↑12%

Hay: ↓4%



Idaho real cash receipts outgrows US

Index Real Cash Receipts (2019 dollars)

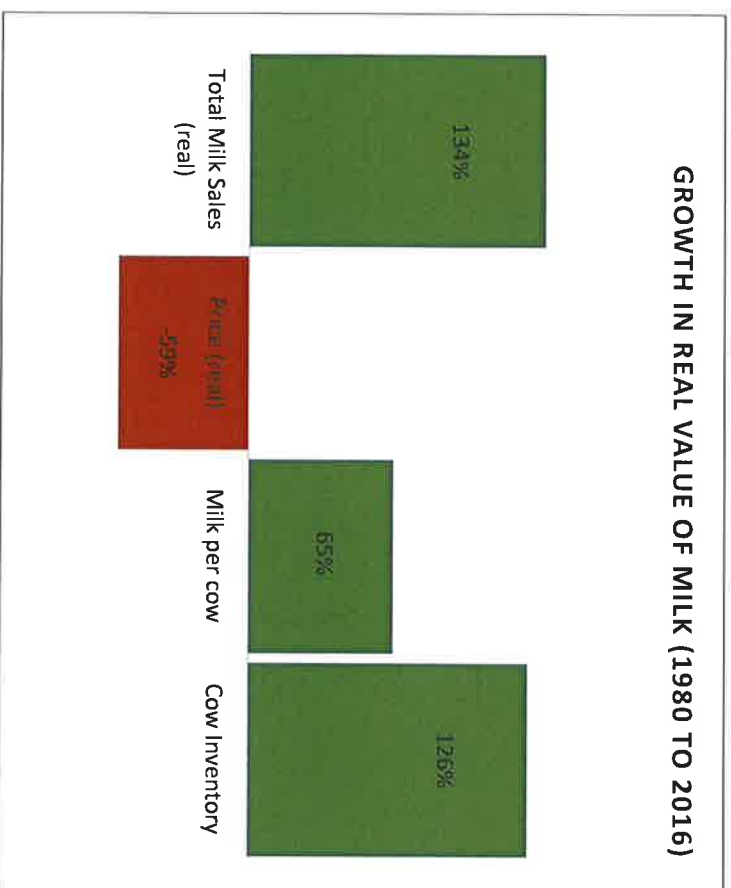


Source: USDA-ERS, University of Idaho

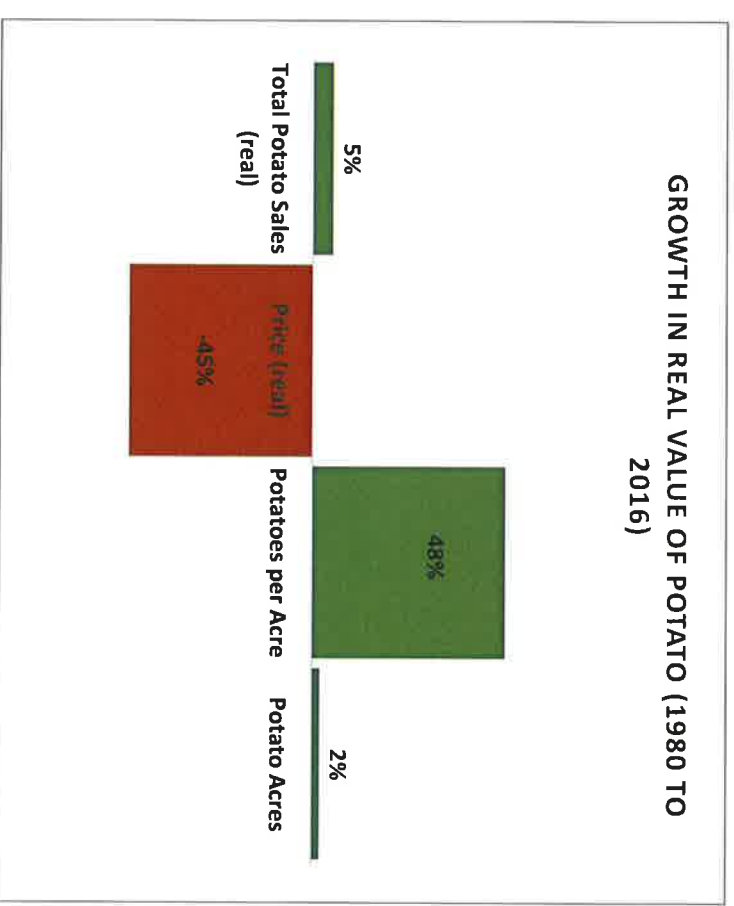


Growth comes from production not price

Dairy



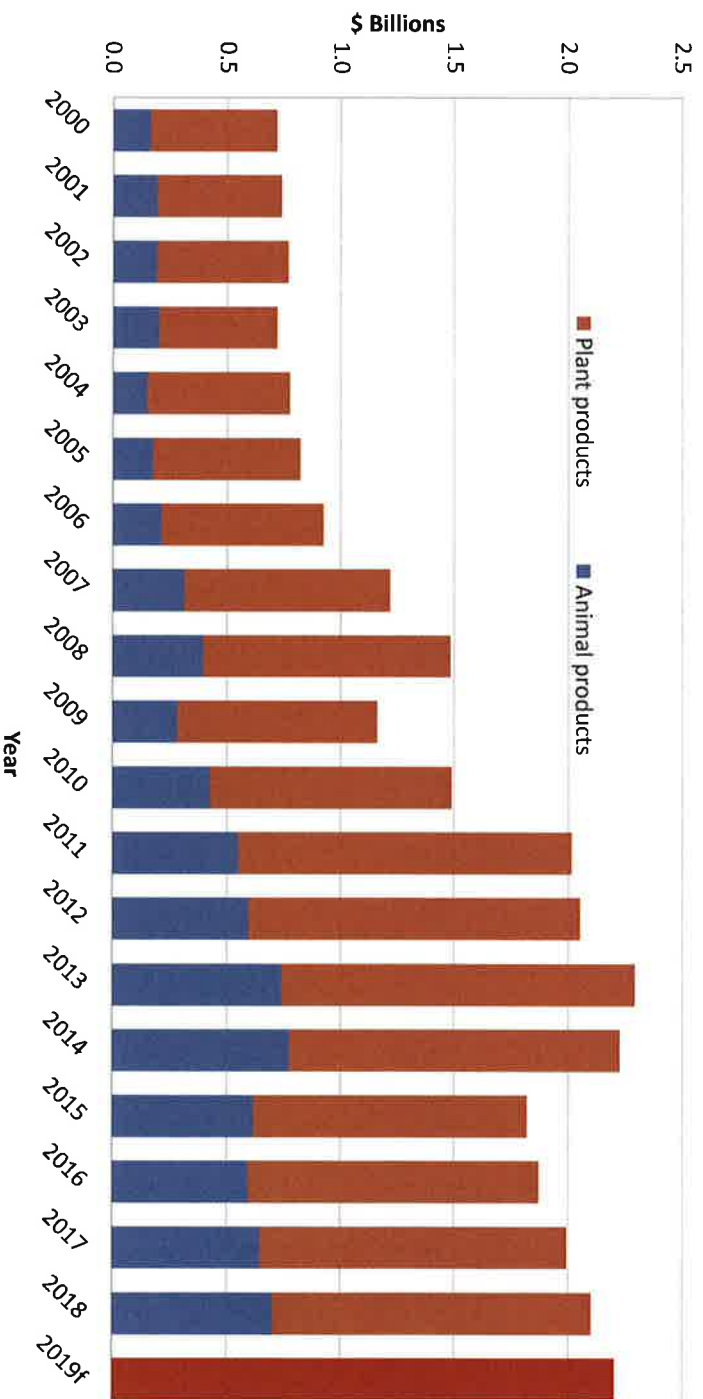
Potatoes





2018, IDAHO'S TOTAL EXPORT \$4 BILLION, AG \$848 MILLION (21%)

Idaho Ag Exports, 2000 to 2019

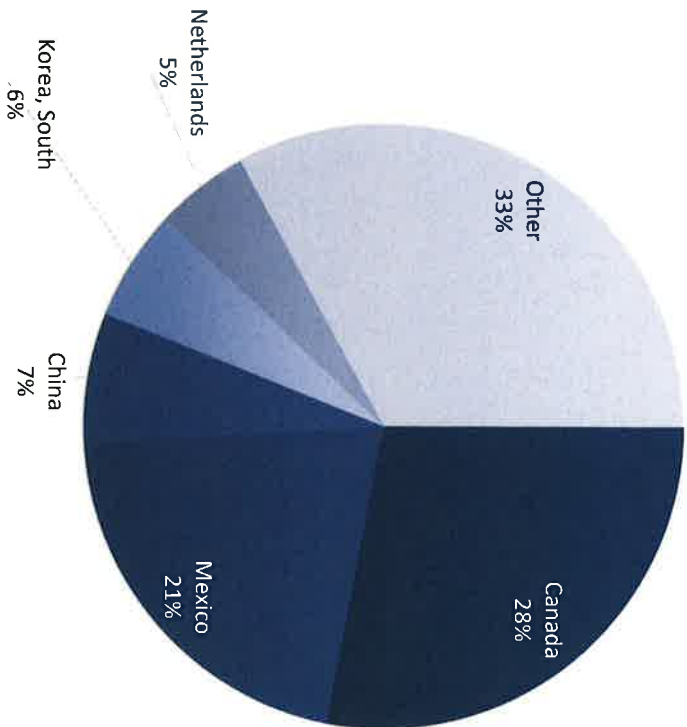


Source: Laura Johnson Idaho Dept. of Ag, USDA ERS, and Global Trade Atlas

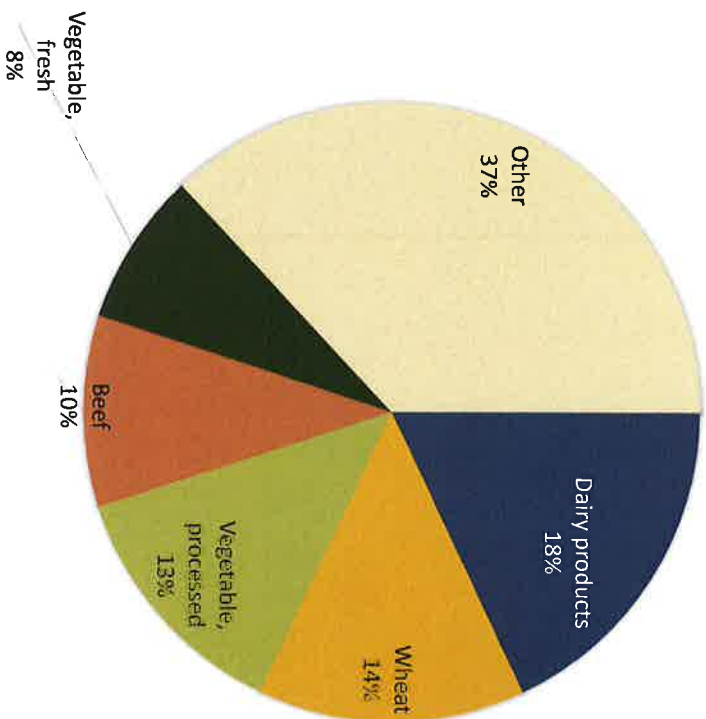


Idaho Ag Exports: Dairy, Potatoes and NAFTA

ID Ag Exports by Country, 2018



ID Ag Exports Share, 2018

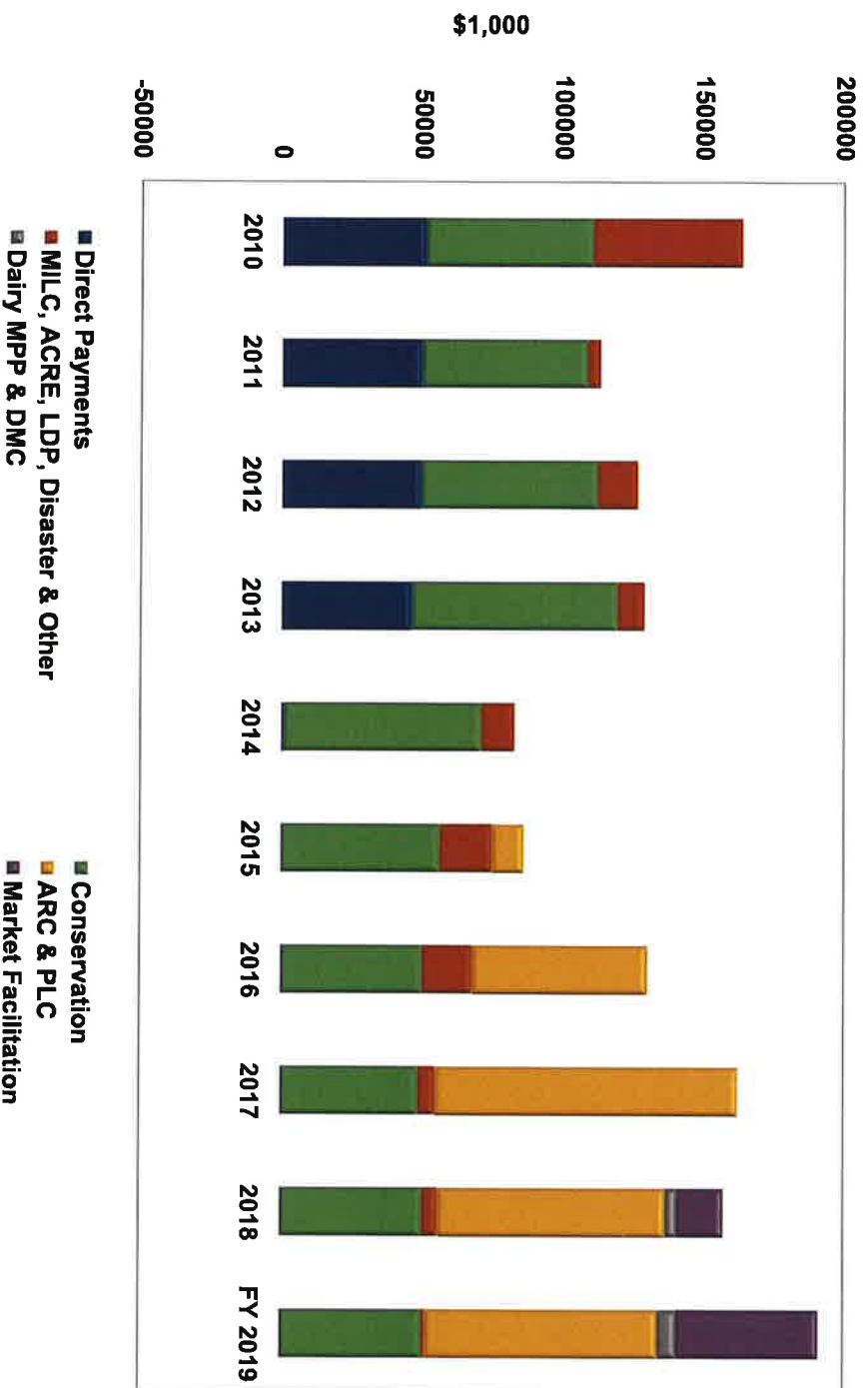


Source: Laura Johnson Idaho Dept. of Ag, USDA ERS, and Global Trade Atlas



Idaho support programs jump

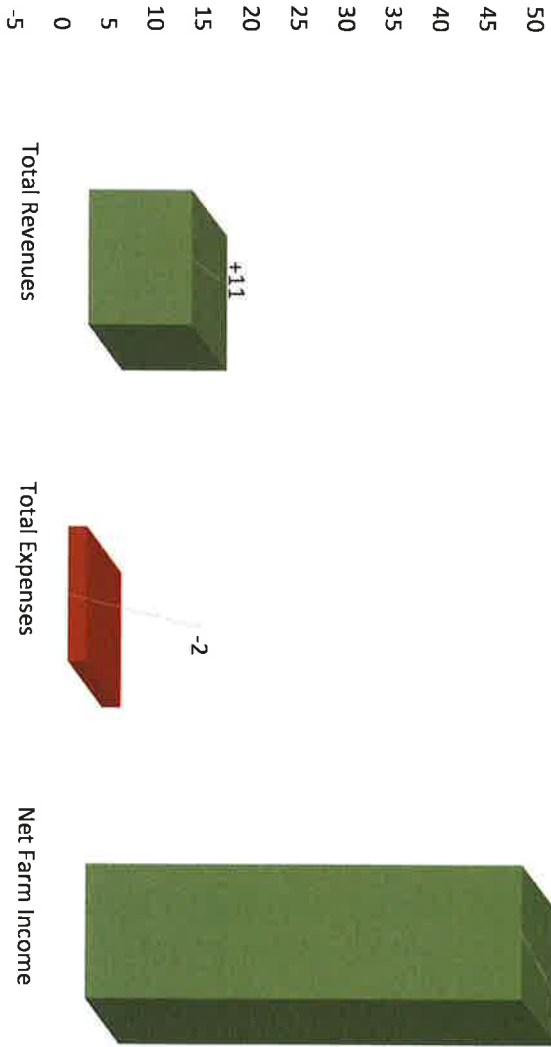
Idaho Government Payments, 2010-2019



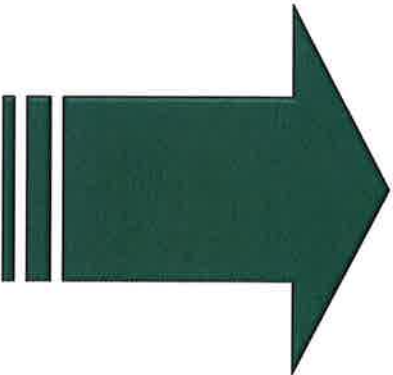


Record High Net Farm Income

Idaho Net Farm Income
(% change from 2018)



\$2.7 billion, 2019



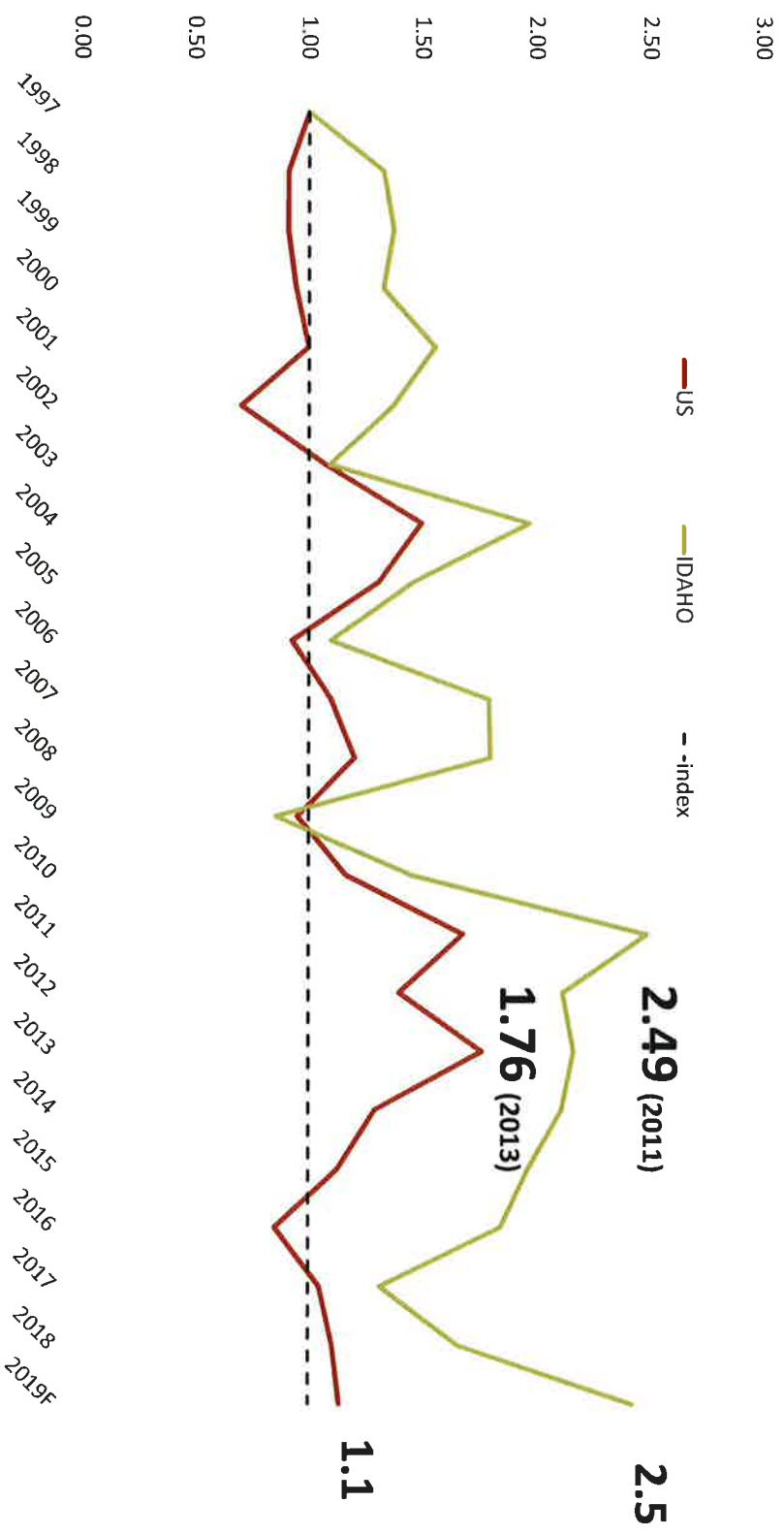
\$1.8 billion, 2018

Source: U of ID



Idaho real net farm income outgrows US

Real (2019 dollars) Net Farm Income Idaho vs US (1997=1)

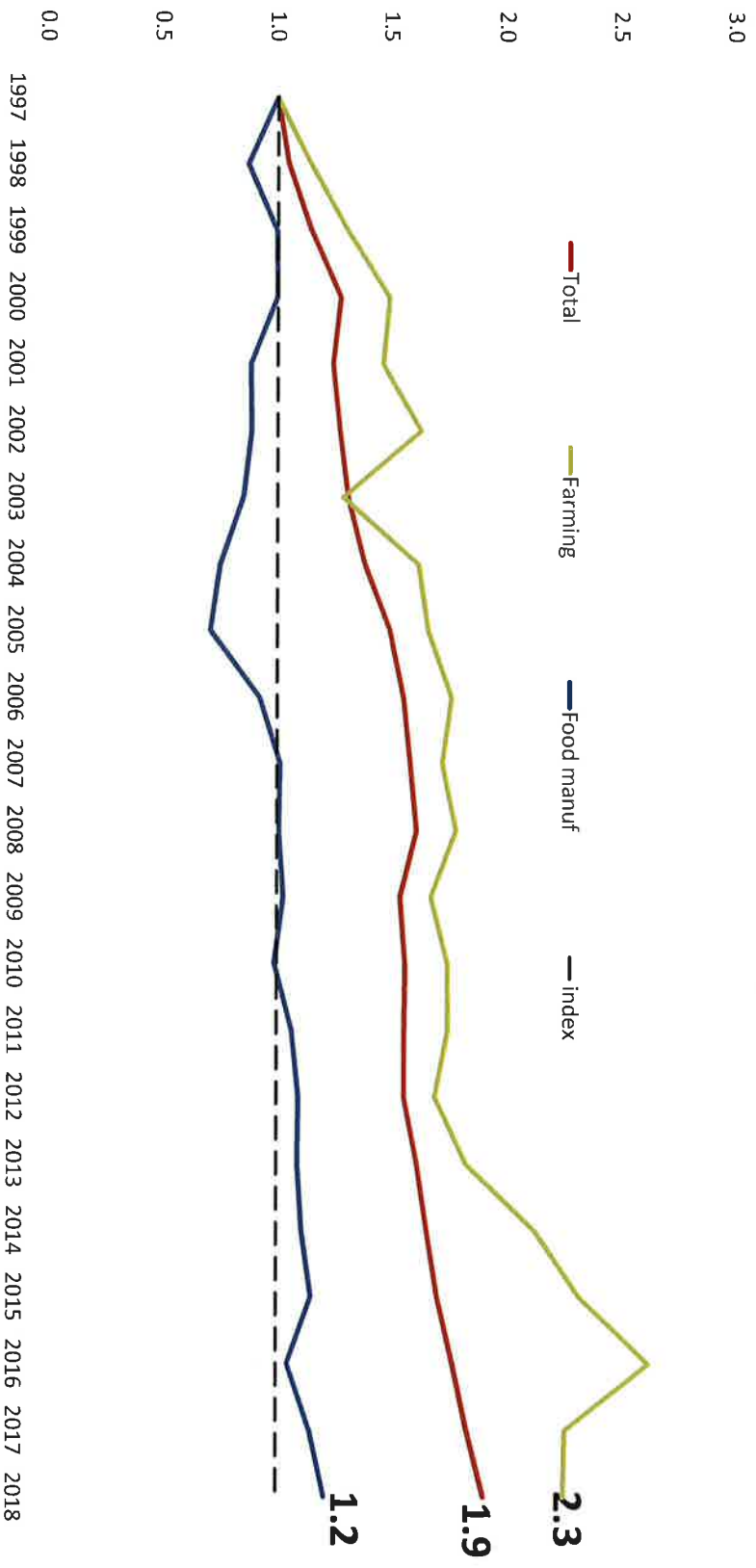


Source: USDA-ERS, University of Idaho



Farm GDP 40% more than Idaho GDP

Indexed Chained Idaho GDP (1997=1)

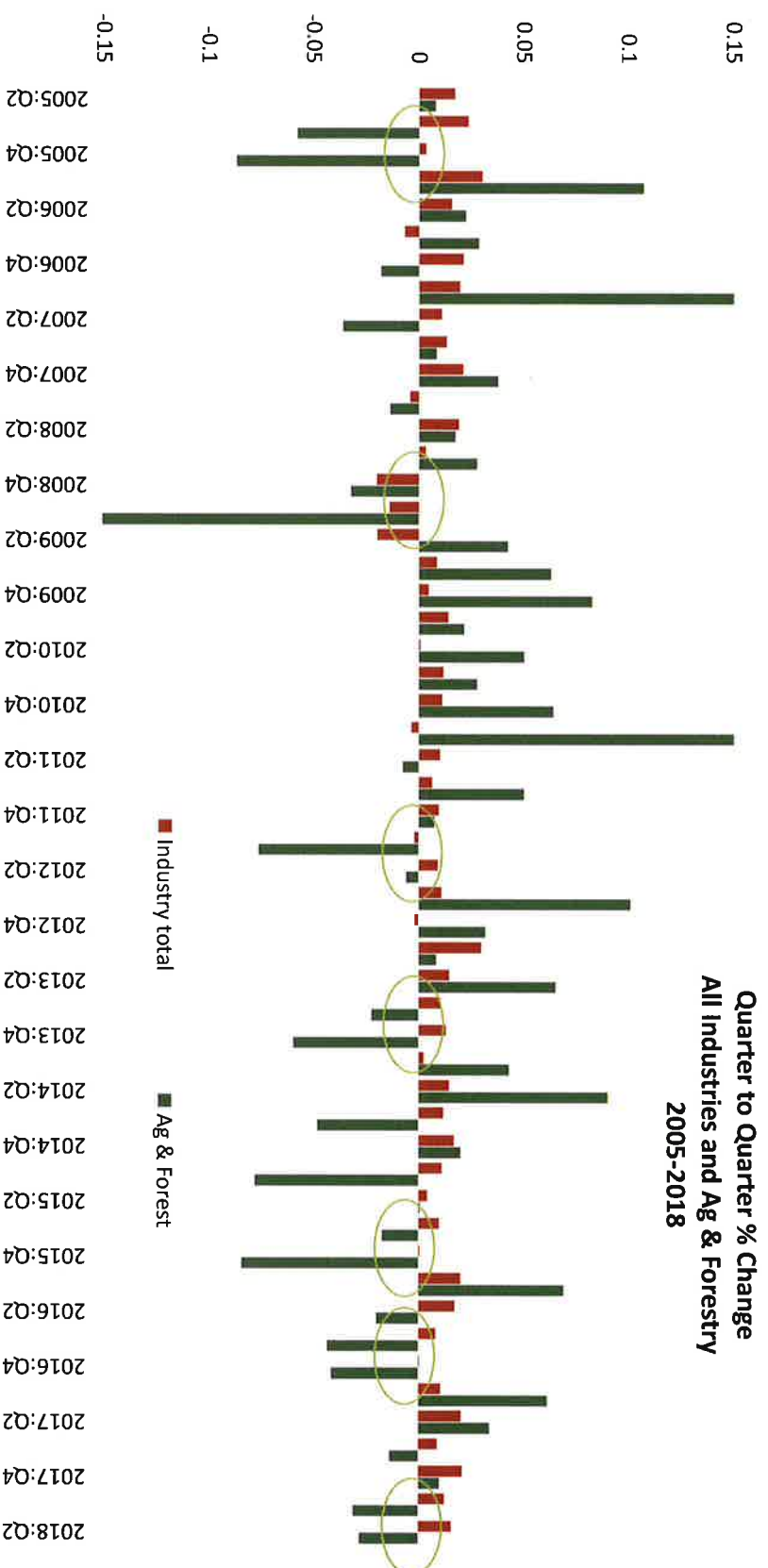


Source: US Dept. of Commerce, BEA



7 Ag recessions since 2005

(quarter to quarter Idaho GDP % change)

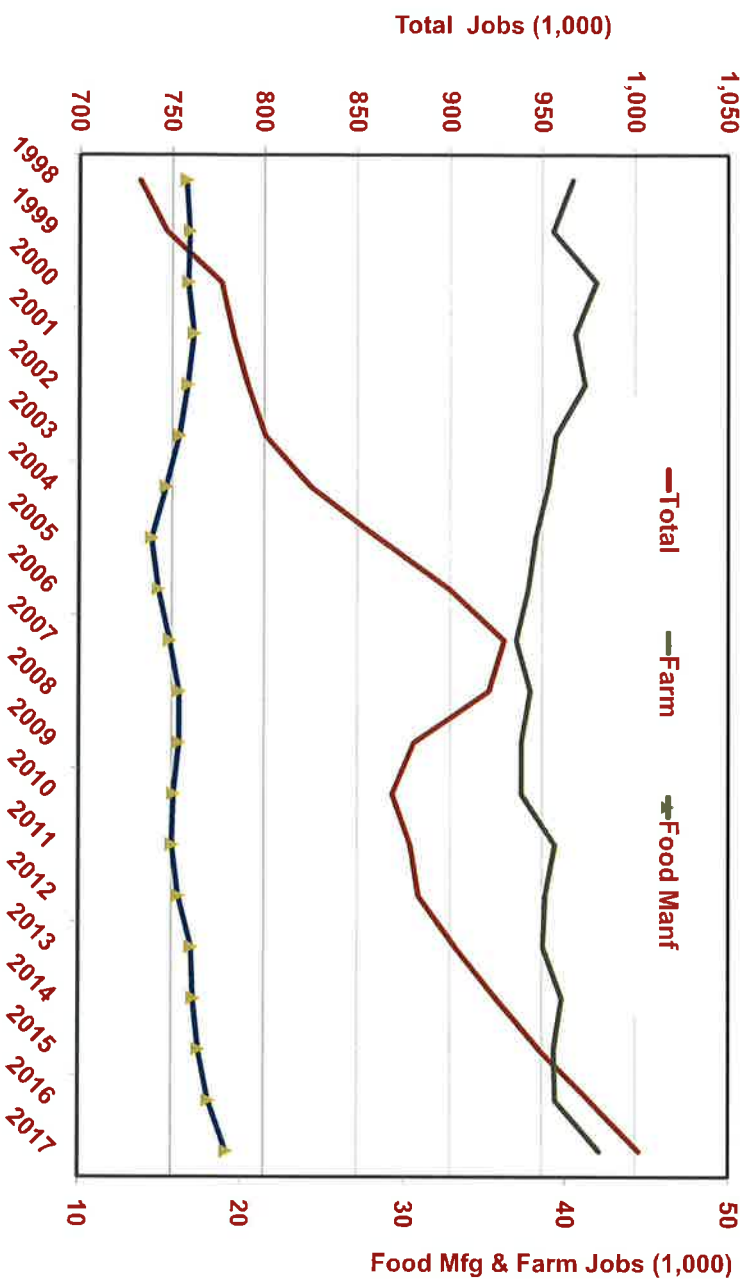


Source: US Dept. of Commerce, BEA



Farming & food manufacturing = steady jobs

Full and Part Time Jobs 1998-2018

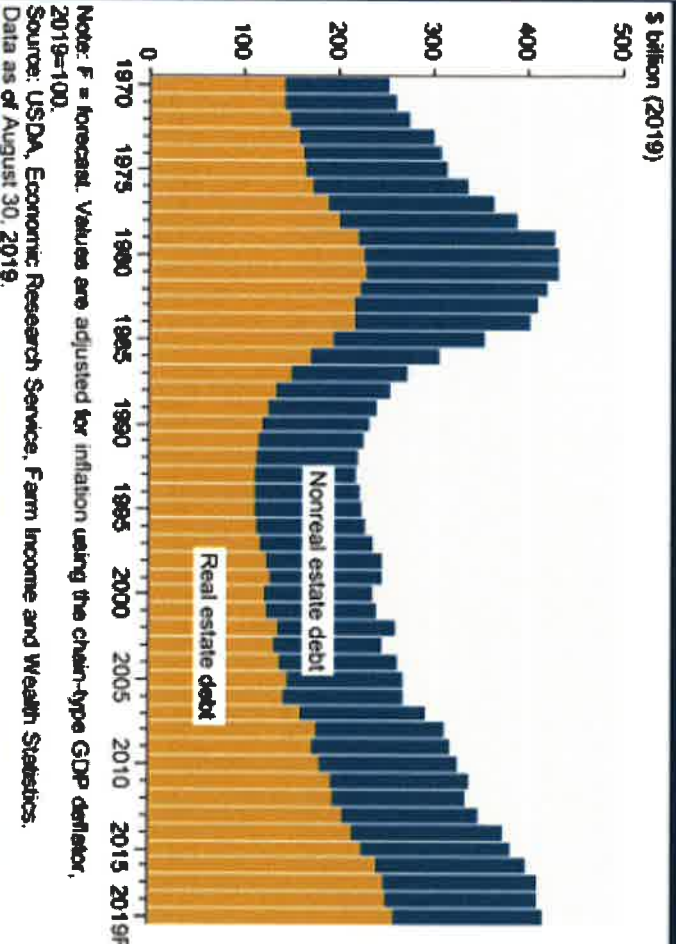


- **Total Idaho**
 - Over one million 1,002,000 jobs
 - Up 3%
- **Farm**
 - 41,000 jobs
 - Down 7%
- **Food mfg**
 - 19,000 jobs
 - Up 1%

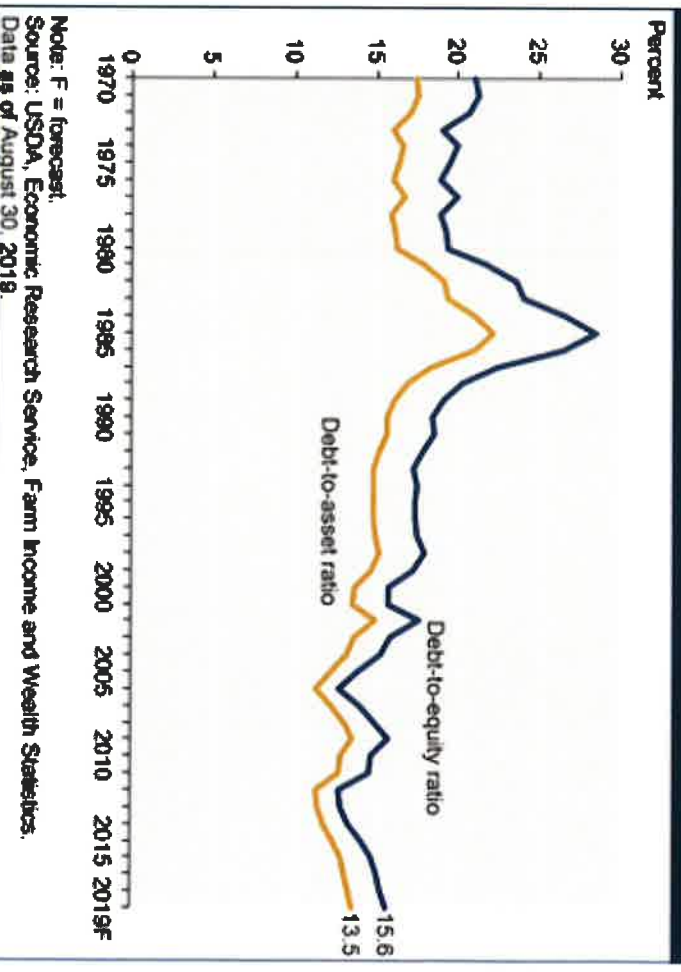


Asset values unchanged and liquidity ratios close to long term averages

Farm sector debt, inflation adjusted, 1970-2019F



Farm sector solvency ratios, 1970-2019F





2020 OUTLOOK GOOD

- **FORWARD INDICATORS**

- Land prices up
- Idaho increasing dairy herds and 2020 forecast good prices
- Beef prices steady
- Forage follows milk prices
- Milk exports are up

- **EXPORTS DETERMINE US COMMODITY PRICES**

- Strongest dollar in 5 years
- Trade problems
- Large grain stocks and Russia the largest exporter

- **STEADY INPUT COSTS**



University of Idaho
College of Agricultural
and Life Sciences

QUESTIONS?

AGENDA
SENATE AGRICULTURAL AFFAIRS COMMITTEE
8:00 A.M.
Room WW53
Thursday, January 23, 2020

SUBJECT	DESCRIPTION	PRESENTER
<u>RS27252</u>	Relating to Seed and Plant Certification; Amend, Revise, and Make Technical Corrections	Mike Keckler, Chief Communications & Legislative Affairs Officer, State Board of Education
Minutes Approval:	Committee Approval for the Minutes of January 9, 2020	Senator Harris
Docket No. <u>02-0202-1901</u>	Rules Governing Grading and Controlled Atmosphere Storage of Apples (New Chapter) pg. 93	Brian Oakey, Deputy Director, Idaho State Department of Agriculture
Docket No. <u>02-0205-1902</u>	Rules Governing Stone Fruit Grades (New Chapter) pg. 109	Mr. Oakey
Docket No. <u>02-0212-1901</u>	Bonded Warehouse Rules pg 118	Mr. Oakey
Docket No. <u>02-0301-1901</u>	Rules Governing Pesticide Management Plans for Ground Water Protection pg. 128	Mr. Oakey
Docket No. <u>02-0415-1901</u>	Rules Governing Beef Cattle Animal Feeding Operations pg. 140	Mr. Oakey
Docket No. <u>02-0417-1901</u>	Rules Governing Dead Animal Movement and Disposal pg. 148	Mr. Oakey
Docket No. <u>02-0421-1901</u>	Rules Governing the Importation of Animals pg. 161	Mr. Oakey
Docket No. <u>02-0423-1901</u>	Rules Governing Commercial Livestock Truck Washing Facilities pg. 174	Mr. Oakey

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Guthrie	Sen Lent
Vice Chairman Den Hartog	Sen Bayer
Sen Patrick	Sen Jordan
Sen Harris	Sen Nelson
Sen Mortimer	

COMMITTEE SECRETARY

LeAnn Mohr
Room: WW31
Phone: 332-1330
Email: sagri@senate.idaho.gov

MINUTES
SENATE AGRICULTURAL AFFAIRS COMMITTEE

DATE: Thursday, January 23, 2020

TIME: 8:00 A.M.

PLACE: Room WW53

MEMBERS PRESENT: Chairman Guthrie, Senators Patrick, Harris, Mortimer, Lent, Bayer, Jordan, and Nelson

ABSENT/ EXCUSED: Vice Chairwoman Den Hartog

NOTE: The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the Committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Guthrie** called the Senate Agricultural Affairs Committee (Committee) to order at 8:00 a.m.

RS 27252 **Mike Keckler**, Chief Communications and Legislative Affairs Officer, State Board of Education, presented **RS 27252**; Relating to Seed and Plant Certification: Amend and Make Technical Corrections. He said the proposed legislation will remove the requirement for the Idaho Agricultural Experiment Station, housed in the College of Agriculture and Life Sciences at the University of Idaho, to use Idaho's negotiated rulemaking process for setting standards for seed certification. He stated there is another process which enables the public and industry to offer input in setting seed certification standards, managed by the Idaho Crop Improvement Association. He detailed the current requirement procedures.

MOTION: **Senator Mortimer** moved to send **RS 27252** to print. **Senator Bayer** seconded the motion.

DISCUSSION: **Senator Mortimer** explained the history of seed rule-setting within the Senate and House Education Committees. He said the proposed legislation will be a benefit to seed certification.

Senator Patrick said as a seed grower this proposed legislation will help growers.

VOICE VOTE: The motion passed by **voice vote**.

MINUTES APPROVAL: **Senator Harris** moved to approve the Minutes of January 9, 2020. **Senator Jordan** seconded the motion. The motion passed by **voice vote**.

RULES: **Brian Oakey**, Deputy Director, Idaho State Department of Agriculture (ISDA), explained the three different categories the dockets on the agenda address. He detailed combination rules, negotiated rules, and said they performed Idaho Code § 22-101A analysis of rule. He explained the reasons for the combination rules and reported the number of pages and words reduced from the rules, which is in line with the Red Tape Reduction Act (RTRA). He said the individual administrators from ISDA, who are responsible for the specific dockets, will present and explain the updates.

DOCKET NO. 02-0202-1901 **Cindy Stark**, Administrator, Agricultural Inspection Division, ISDA, presented **Docket No. 02-0202-1901**; Rules Governing Grading and Controlled Atmosphere Storage of Apples. She said the combination rule will publish two previously existing and approved rules into one rule that will now govern Idaho apple grading and storage criteria. She detailed the changes, which are in line with the RTRA and had no opposition from stakeholders.

MOTION: **Senator Mortimer** moved to approve **Docket No. 02-0202-1901**. **Senator Nelson** seconded the motion. The motion passed by **voice vote**.

DOCKET NO. 02-0205-1902 **Ms. Stark** presented **Docket No. 02-0205-1902**; Rules Governing Stone Fruit Grades. This combination rule will adapt and combine three published and approved existing rules. She said in consistency with the RTRA, there are minor and non-substantive revisions to the rule. She said the combination rule consolidates prunes, sweet cherries, and apricots rules and specifies the standards criteria.

MOTION: **Senator Patrick** moved to approve **Docket No. 02-0205-1902**. **Senator Jordan** seconded the motion. The motion passed by **voice vote**.

DOCKET NO. 02-0212-1901 **Ms. Stark** presented **Docket No. 02-0212-1901**; Bonded Warehouse Rules. She said the rulemaking adopts and republishes existing and previously approved rule chapters. She stated to be consistent with the RTRA, there were minor and non-substantive revisions throughout the rule. She said this is a fee rule and no changes were made to the fee. She said the combined rule gives additional support and guidance for the use of electronic warehouse receipts.

MOTION: **Senator Mortimer** moved to approve **Docket No. 02-0212-1901**. **Senator Lent** seconded the motion. The motion passed by **voice vote**.

DOCKET NO. 02-0301-1901 **Victor Mason**, Administrator, Agricultural Resources, ISDA, presented **Docket No. 02-0301-1901**; Rules Governing Pesticide Management Plans for Ground Water Protection. The ISDA posted the proposed rules and received no written comments. He said the rule adopts a previously approved and codified chapter of ISDA rules. He said the Idaho Code § 22-101A analysis of the rule was completed and it was determined the rule is broader in scope than federal law requirements. The rule was reviewed and reduced to the standards set by the RTRA. He said this rule establishes a response to pesticide detection in ground water.

MOTION: **Senator Lent** moved to approve **Docket No. 02-0301-1901**. **Senator Mortimer** seconded the motion. The motion passed by **voice vote**.

DOCKET NO. 02-0415-1901 **Dr. Bill Barton**, Administrator Animal Industries and State Veterinarian, ISDA, presented **Docket No. 02-0415-1901**; Rules Governing Beef Cattle Animal Feeding Operations. He said the rulemaking adopts and republishes existing and previously approved rule chapters. To be consistent with the RTRA, minor and non-substantive changes were made. An Idaho Code § 22-101A analysis was completed on the rule and determined that some sections are more stringent and broader in scope than federal regulations. **Dr. Barton** said the rule establishes standards for the storage, management, and application of manure for beef cattle feeding operations that manage over 1,000 head of cattle.

MOTION: **Senator Harris** moved to approve **Docket No. 02-0415-1901**. **Senator Mortimer** seconded the motion. The motion passed by **voice vote**.

DOCKET NO. 02-0417-1901 **Dr. Barton** presented **Docket No. 02-0417-1901**; Rules Governing the Importation of Animals. He said the rulemaking adopts and republishes existing and previously approved rule chapters. To be consistent with the RTRA, some minor and non-substantive changes were made to eliminate repetitive, restrictive, and redundant words. An Idaho Code § 22-101A analysis was made on the rule and it was determined the entire rule regulates an activity not regulated by the federal government. **Dr. Barton** said the rule establishes standards for the management, movement, and disposal of dead animal bodies, carcasses, and body parts, for the protection of human health and the environment.

MOTION: **Senator Jordan** moved to approve **Docket No. 02-0417-1901**. **Senator Harris** seconded the motion. The motion passed by **voice vote**.

**DOCKET NO.
02-0421-1901**

Dr. Barton presented **Docket No. 02-0421-1901**; Rules Governing the Importation of Animals. He said this is a negotiated rule and reported the number of people in attendance and the number of comments received for the rule. To be consistent with the requirements of the RTRA, the changes to the rule were to reduce restrictive language. He said ISDA conducted an Idaho Code § 22-101A analysis of the rule and determined that some sections are more stringent than federal regulations and other sections are not regulated by the federal government.

Dr. Barton walked the Committee through the sections of the rule in which substantive changes were made. He said the changes align with federal standards, current technology practices, and streamline language.

In response to Committee concerns regarding Idaho rules being more stringent than federal regulations, **Dr. Barton** replied that there are issues that are limited only to Idaho and need to be addressed.

MOTION:

Senator Harris moved to approve **Docket No. 02-0421-1901**. **Senator Bayer** seconded the motion. The motion passed by **voice vote**.

**DOCKET NO.
02-0423-1901**

Dr. Barton presented **Docket No. 02-0423-1901**; Rules Governing Commercial Livestock Truck Washing Facilities. He said the rulemaking adopts and republishes existing and previously approved rule chapters and is in line with the RTRA, with minor and non-substantive changes. An Idaho Code § 22-101A analysis was conducted and determined the entire rule regulates an activity not regulated by the federal government. The rule establishes standards for the permitting and management of commercial truck washing facilities within the state in order to protect human health and the environment.

MOTION:

Senator Mortimer moved to approve **Docket No. 02-0423-1901**. **Senator Jordan** seconded the motion. The motion passed by **voice vote**.

ADJOURNED:

There being no further business at this time, **Chairman Guthrie** adjourned the meeting at 8:42 a.m.

Senator Jim Guthrie
Chair

LeAnn Mohr
Secretary

AMENDED AGENDA #1
SENATE AGRICULTURAL AFFAIRS COMMITTEE
8:00 A.M.
Room WW53
Tuesday, January 28, 2020

SUBJECT	DESCRIPTION	PRESENTER
Presentation:	Pacific Northwest Economic Region (PNWER)	Senator Mike Cuffe, President, PNWER
Minutes:	Minutes of January 16, 2020	Senator Nelson
Docket No. <u>29-0000-1900</u>	Rules of the Idaho Potato Commission Pending Rule Book pg. 208	Patrick Kole, Vice President, Legal & Government Affairs, Idaho Potato Commission
Docket No. <u>02-0207-1901</u>	Rules Governing Bulk Permits and Retail Sale of Potatoes - Fee Book pg. 117	Cindy Stark, Administrator, Agricultural Inspections, Idaho State Department of Agriculture
Docket No. <u>02-0303-1901</u>	Rules Governing Pesticide and Chemigation Use and Application - Fee Book pg. 122	Victor Mason, Administrator, Agricultural Resources, IDSA
Docket No. <u>02-0403-1901</u>	Rules Governing Animal Industry Fee Book pg. 151	Dr. Bill Barton, Administrator, Animal Industries, ISDA
Docket No. <u>02-0405-1901</u>	Rules Governing Grade A Milk and Manufacture Grade Milk - Fee Book pg. 173	Dr. Barton
Docket No. <u>02-0426-1901</u>	Rules Governing the Public Exchange of Livestock Fee Book pg. 203	Dr. Barton
Docket No. <u>02-0420-1901</u>	Rules Governing Brucellosis Pending Rule Book pg. 155	Dr. Barton

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Guthrie	Sen Lent
Vice Chairman Den Hartog	Sen Bayer
Sen Patrick	Sen Jordan
Sen Harris	Sen Nelson
Sen Mortimer	

COMMITTEE SECRETARY

LeAnn Mohr
Room: WW31
Phone: 332-1330
Email: sagri@senate.idaho.gov

MINUTES
SENATE AGRICULTURAL AFFAIRS COMMITTEE

DATE: Tuesday, January 28, 2020

TIME: 8:00 A.M.

PLACE: Room WW53

MEMBERS PRESENT: Chairman Guthrie, Vice Chairwoman Den Hartog, Senators Patrick, Harris, Mortimer, Lent, Bayer, Jordan, and Nelson

ABSENT/ EXCUSED: None

NOTE: The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the Committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Guthrie** called the meeting of the Agricultural Affairs Committee (Committee) to order at 8:00 a.m.

Chairman Guthrie said the order of business would be changed and the approval of minutes will be first on the agenda.

MINUTES: **Senator Nelson** moved to approve the Minutes of January 16, 2020. **Senator Mortimer** seconded the motion. The motion passed by **voice vote**.

PRESENTATION: **Mike Morrison**, Executive Director, Pacific Northwest Economic Region (PNWER) presented on behalf of Senator Cuffe. He introduced PNWER attendees and gave an overview of the region PNWER serves (see Attachment 1). **Mr. Morrison** noted that PNWER is made up of 5 states, 3 provinces, and 2 territories, representing 24.4 million people and having a gross national product (GNP) of over \$1 trillion, making it the thirteenth largest economy in the world. **Mr. Morrison** announced the thirtieth Annual Summit to be held in Montana in July, 2020, which will have a significant focus on agriculture.

Brandon Hardenbrook, Deputy Director, PNWER, presented an overview of the agriculture issues that will be considered at the summit. He reported they have been focused on the following:

- livestock health management;
- precision agriculture technology;
- forestry management including mass timber innovation and carbon sequestration;
- critical minerals collaboration; and
- the Columbia River Treaty water policy.

Patrick Kole, Co-Chair of PNWER and the Idaho Potato Commission, spoke about the focus of agriculture working groups (see attachment 2). **Mr. Kole** discussed:

- invasive species;
- trade issues;
- reducing regulatory burdens on both sides of the border;
- harmonizing trade standards; and
- modern autonomous farm equipment operated by satellite, and unmanned aerial systems (UAS).

Mr. Hardenbrook identified the following action items which were addressed during PNWER's work in 2019:

- establish a statewide UAS Coordinator position to help coordinate local government and private sector stakeholders;
- encourage possibilities for improved broadband access to enhance precision farming; and
- explore policy gaps related to utilizing unmanned vehicles in farming.

A brief discussion was held regarding the cost of the equipment, the size of a farm that can support UAS equipment, and how soon this technology will be used on a large scale.

Brandon Hardenbrook gave an update on the invasive quagga and zebra mussels. He indicated that currently the region has virtually no infestations (see attachment 3), and PNWER is working to keep the infestation out of the region.

Mr. Hardenbrook reported that if these mussels invade the region, the cost of addressing the problem would be over \$500 million per year as the mussels clog irrigation pipes, pumps, and aqueducts. He pointed out that they also alter vital ecosystems and fish habitats. **Mr. Hardenbrook** gave an analysis of the federal funding received by states for watercraft inspection and monitoring, explaining that the federal funds must be matched by the states. **Mr. Hardenbrook** identified actions taken by PNWER as follows:

- established an Advisory Committee to provide input to the US Army Corps of Engineers;
- communicating to congressional delegation the need for continued funding;
- supporting mandatory decontamination of fouled watercraft at federally managed water bodies; and
- conducting a regional cross-border exercise to test response plans.

Senator John Brendan, Montana Legislature, invited members of the Committee to attend the thirtieth Annual Summit to be held in July in Big Sky, Montana. He commended Idaho's management program for invasive species.

**PASSED THE
GAVEL:**

Chairman Guthrie passed the gavel to Vice Chairwoman Den Hartog.

**DOCKET NO.
29-0000-1900**

Patrick Kole, Vice President, Legal & Government Affairs, Idaho Potato Commission, presented **Docket No. 29-0000-1900**, Rules of the Idaho Potato Commission. **Mr. Kole** noted that the rules were consistent with the Red Tape Reduction Act (RTRA). He stated that a large number of rules were eliminated. Rules dealing with the following were retained:

- potato tax;
- certification marks;
- classification;
- branding;
- variety labeling;
- record keeping requirements; and
- licensing.

Senator Mortimer inquired if there were any substantive changes in the rules. **Mr. Kole** replied there are no substantive changes in the rules.

MOTION: **Senator Mortimer** moved to approve **Docket No. 29-0000-1900**. **Senator Patrick** seconded the motion. The motion passed by **voice vote**.

DOCKET NO. 02-0207-1901 **Cindy Stark**, Administrator, Agricultural Inspections, Idaho State Department of Agriculture (ISDA), presented **Docket No. 29-0207-1901**, Rules Governing Bulk Permits and Retail Sale of Potatoes. **Ms. Stark** informed the Committee that this rulemaking did not impose a new fee, nor did it change any previously approved fee. She stated that the rulemaking was consistent with the RTRA. **Ms. Stark** explained the updates of the rules resulting in the combination of two separate rules. Through this combined rule, the ISDA created a single rule chapter to meet requirements of Idaho Code §§ 22-901 and 22-911.

MOTION: **Senator Patrick** moved to approve **Docket No. 02-0207-1901**. **Senator Lent** seconded the motion. The motion passed by **voice vote**.

DOCKET NO. 02-0303-1901 **Victor Mason**, Administrator, Agricultural Resources, ISDA, presented **Docket No. 02-0303-1901**, Rules Governing Pesticide and Chemigation Use and Application, and advised the Committee that no fees were added or changed. The rulemaking was in compliance with the RTRA. **Mr. Mason** indicated that this rule proposes a standard for human health which is broader in scope and more stringent than the federal rules. This stronger rule is intended to provide a safer Idaho.

MOTION: **Senator Jordan** moved to approve **Docket No. 02-0303-1901**. **Chairman Guthrie** seconded the motion. The motion passed by **voice vote**.

DOCKET NO. 02-0403-1901 **Dr. Bill Barton**, Administrator, Animal Industries, ISDA, presented **Docket No. 02-0403-1901**, Rules Governing Animal Industry. **Dr. Barton** informed the Committee that this is a new fee rule addressing disease prevention, surveillance, and reporting, and was produced by consolidating two previous rules. He stated that no substantive changes were made. He advised that the new consolidated rule was in compliance with the RTRA. He stated that an Idaho Code § 22-101A analysis was conducted, and the rule is broader in scope and more stringent than federal requirements.

MOTION: **Senator Nelson** moved to approve **Docket No. 02-0403-1901**. **Senator Harris** seconded the motion. The motion passed by **voice vote**.

DOCKET NO. 02-0405-1901 **Dr. Barton** presented **Docket No. 02-0405-1901**, Rules Governing the Public Exchange of Livestock. He noted that this new rule, Rules Governing Grade A Milk and Manufactured Grade Milk, has been reconsidered. **Dr. Barton** requested this rule be held until a future time. **Vice Chairwoman Den Hartog** stated the rule would be held.

DOCKET NO. 02-0426-1901 **Dr. Barton** presented **Docket No. 02-0426-1901**, Rules Governing the Public Exchange of Livestock. He noted this is a new fee rule consolidating two previously approved and codified rules into a single chapter. **Dr. Barton** said the rule relates to the sale, trade, exchange, identification, and movement of livestock markets, buying stations, or trader lots. He advised the Committee that the rule was in compliance with the RTRA, and that there were no increases or changes in fees. **Dr. Barton** described the negotiated rulemaking process and reported an Idaho Code § 22-101A analysis was conducted. He pointed out this rule is broader in scope and more stringent than federal requirements.

MOTION: **Senator Harris** moved to approve **Docket No. 02-0426-1901**. **Senator Jordan** seconded the motion. The motion passed by **voice vote**.

**DOCKET NO.
02-0420-1901**

Dr. Barton presented **Docket No. 02-0420-1901**, Rules Governing Brucellosis. He explained the negotiated rulemaking process, and noted the rulemaking is consistent with the RTRA. He stated an Idaho Code § 22-101A analysis was conducted, indicating parts of the rule are broader in scope and more stringent than federal requirements. **Dr. Barton** advised the Committee that the rule reduces the Brucellosis test eligible age, and removes Idaho origin as a prerequisite for adult vaccination. He gave a detailed explanation of these changes.

MOTION:

Senator Mortimer moved to approve **Docket No. 02-0420-1901**. **Senator Harris** seconded the motion. The motion passed by **voice vote**.

**PASSED THE
GAVEL:**

Vice Chairwoman Den Hartog passed the gavel to Chairman Guthrie.

ADJOURNED:

There being no further business at this time, **Chairman Guthrie** adjourned the meeting at 9:11 a.m.

Senator Jim Guthrie
Chair

LeAnn Mohr
Secretary

Carol Cornwall
Assistant Secretary

PNW^{ER} Update 2020



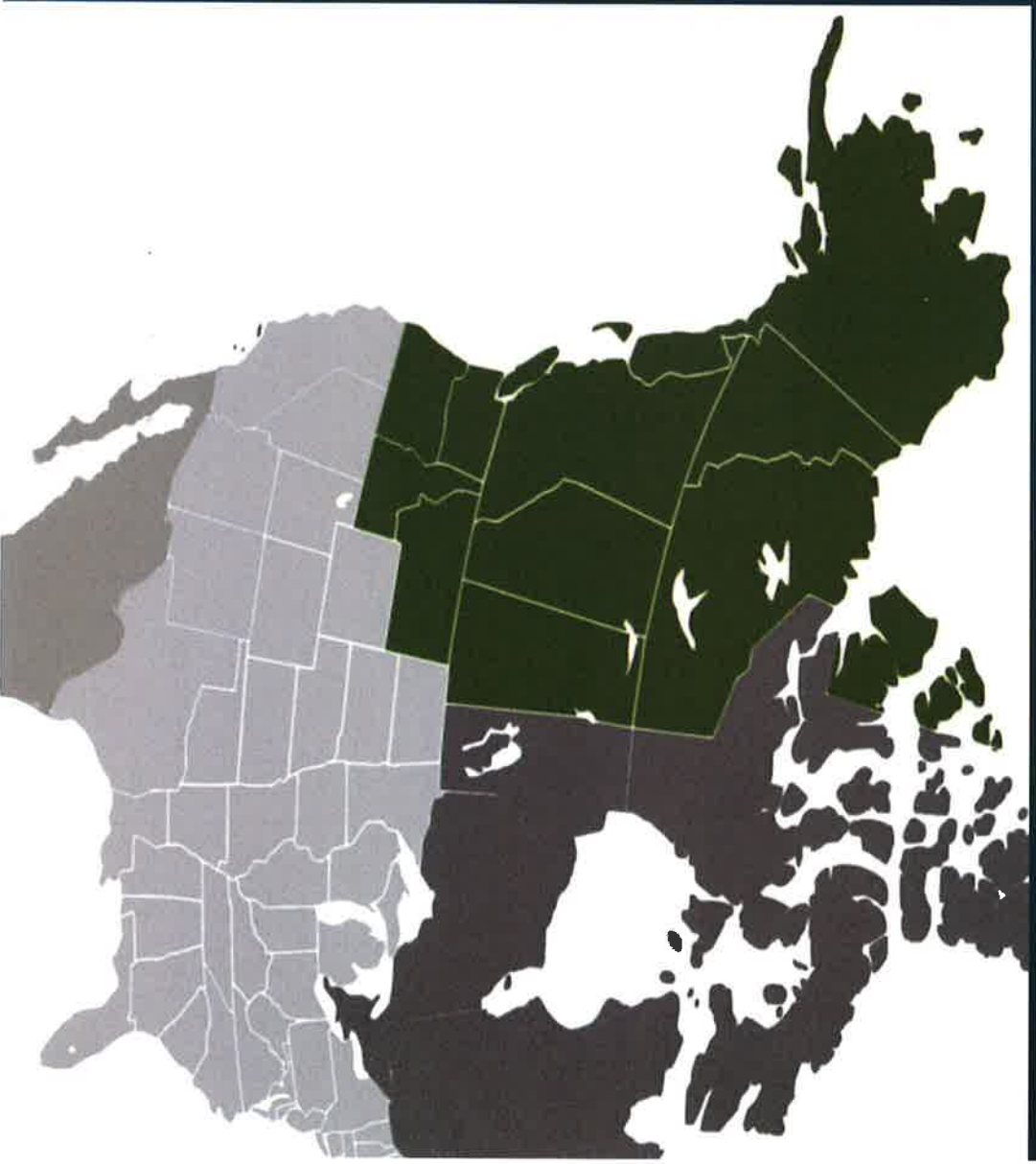
*Pacific NorthWest
Economic Region*



Pacific NorthWest Economic Region

PNWER: a statutory, public-private partnership chartered in 1991 by the States of Alaska, Washington, Idaho, Montana, Oregon and the Canadian Provinces of British Columbia, Alberta, Saskatchewan and the Yukon and Northwest Territories.

A regional GDP of over \$1 Trillion, population of 24.4 Million people, making it the 13th Largest Economy in the world.





PACIFIC NORTHWEST ECONOMIC REGION'S
30TH ANNUAL SUMMIT

BIG SKY, MONTANA | JULY 19 -23, 2020

*Promoting U.S. - Canada
Regional Collaboration*



2020 Summit

Agriculture & Natural Resources Topics

- Agriculture – Precision Ag technology
- Livestock Health – Emergency Management and response coordination during cross border disease outbreak
- Forestry – Mass Timber Innovation, forest management, carbon sequestration, Chief of US Forest Service
- Mining – US-Canada critical minerals collaboration
- Water policy – Columbia River Treaty



PNWER Agriculture Related Working Groups

PNWER Agriculture Co-chairs



Larry Doke, Member of the
Legislative Assembly
(MLA), Saskatchewan

Patrick J. Kole, Vice
President, Legal &
Government Affairs,
Idaho Potato Commission

PNWER Cross Border Livestock Health Co-chairs



Dr. Amber Itle,
Asst. Washington State
Veterinarian



Janice Tranberg, President &
CEO Alberta Cattle feeders'
Association



PNWER Hosted a roundtable with State/Provincial Agriculture
Directors and Ministers in Spokane in July 2018

Agriculture Technology (Precision Farming)



Unmanned Aerial Systems (UAS)

- Expanded UAS use in farming, transportation, energy and emergency response.
- PNWER 2019 initiative to help WA, OR, ID, MT better coordinate public-private sector drone users. Conducted a drill on using UAS for damage inspection, and **Idaho statewide symposium**.

Gap:

Currently, no PNWER state has a UAS coordinator. Idaho ITD is asking to fund a new position helping state agencies coordinate with local government and private sector stakeholders on UAS policy.



2019 Action Items

- UAS Recommendation
 - Establish a statewide UAS Coordinator position to help state & local agencies and private sector stakeholders collaborate on policy and UAS use
- Agriculture Action Items
 - Encourage each legislature to explore policies for improved broadband access to enhance precision farming.
 - Explore and address policy gaps around utilizing unmanned vehicles in farming.

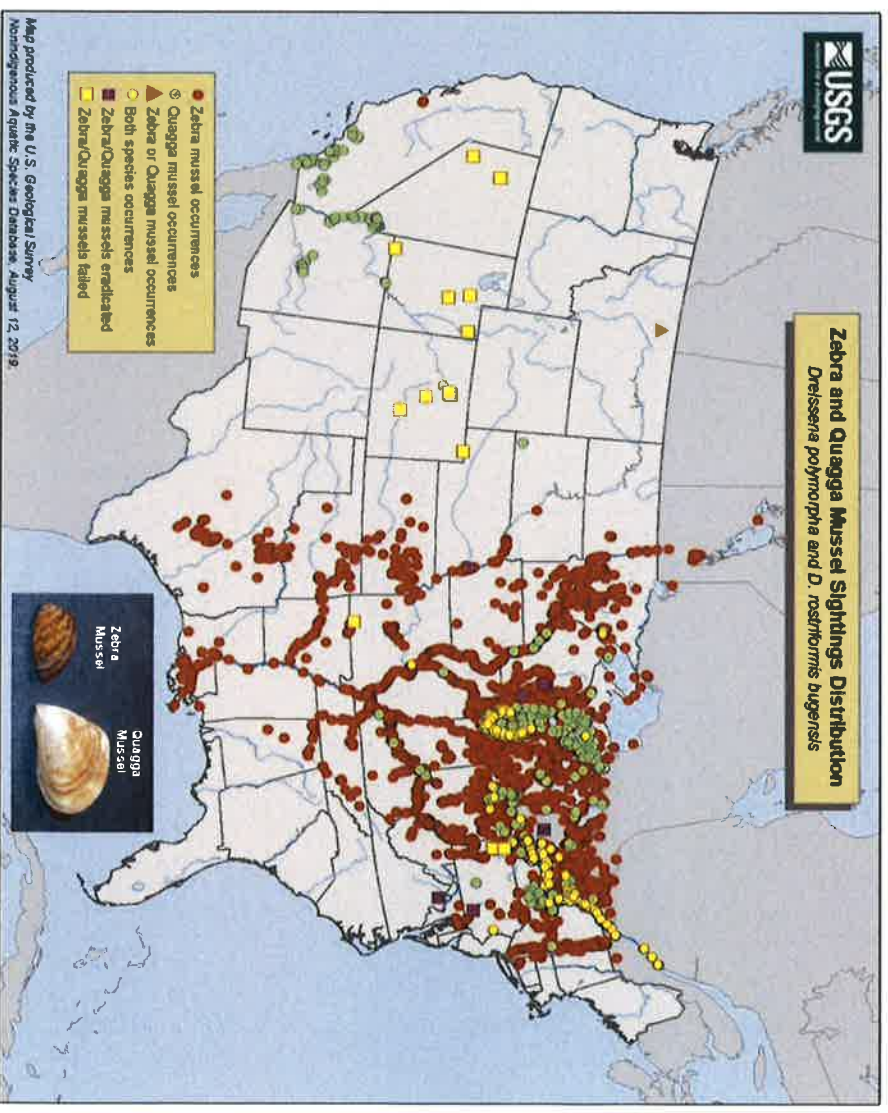
Invasive Mussels Federal Funding Update



*Pacific North West
Economic Region*

Invasive Freshwater Mussels

Quagga Mussel (*Dreissena bugensis*)
Zebra Mussel (*Dreissena polymorpha*)





CityNews

ZEBRA MUSSELS FLOOD WINNIPEG BEACH



Regional Defense

Advancing a Regional Defense Against Dredgeheads in the Pacific Northwest

26AFT-4LD

ADVANCING A REGIONAL DEFENSE AGAINST DREDSSEINIDS IN THE PACIFIC NORTHWEST

The Pacific Northwest is the largest region of the United States that does not have established dredging or other assets.



The cost of an infrastructure for the Pacific Northwest is \$500,000,000 annually (ICAD 2010)

6/6/2015



A dredgehead used in the Pacific Northwest.

A Report prepared by the Pacific Northwest Economic Region and Pacific States Marine Forum Commission



Page 1

- 2014-2015 study funded by the State of Washington

Estimated economic impact to the region:

Over \$500,000,000 per year,

every year

- Coordinating inspection, Messaging and efforts

\$94m Annual Impact to Idaho

- The economic impact of a quagga/zebra mussel infestation in Idaho exceeds \$94 million annually (not including agriculture related impacts), according to the Idaho Invasive Species Council
- \$100.1m annual impact to Washington according to 2017 Washington Invasive Species Council report
- Quagga and zebra mussels will cost agriculture tens of millions of dollars annually by clogging irrigation pipes, pumps, and aqueducts, and altering vital ecosystems and fish habitats by feeding on plankton
- A Jan. 24, 2019, report by Montana Invasive Species Council
- estimated direct mitigation costs and lost revenue of \$234 million/year for Montana



PNWER advocates for appropriations for mussel prevention efforts to protect the Columbia River Basin



PNWER President
Mike Cuffe (MT)
briefing at the U.S.
Capitol on the
importance of federal
matching funds



- Met with dozens of Congress Members and Senators to amend WRDA language
- Worked with PNW Congressional leaders to get appropriations for matching funds to states for watercraft monitoring stations
- \$21 Million over the past 4 years for the 4 Northwest states
- \$18 Million total for 2020 for five river basins (16 western states)

2020 Funding

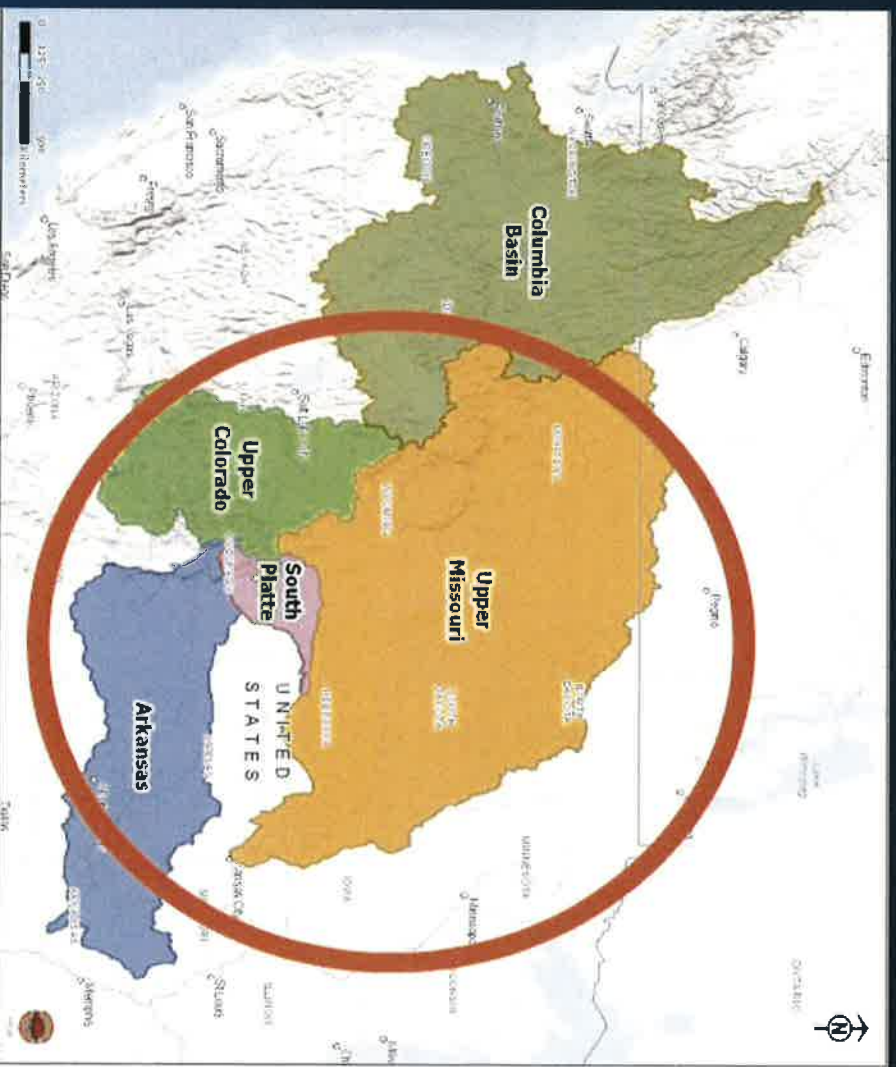
2020 FEDERAL FUNDING

2020 Appropriation Act (H.R. 1865) includes \$15m for watercraft inspection, and \$3m for related monitoring. This is a \$9m increase to accommodate the additional river basins added.

MORE BASINS ADDED TO FEDERAL

PROGRAM

In 2018 Congress increased the number of states eligible for federal matching funds for watercraft inspection stations. The additional basins added 12 more states to the four Pacific Northwest states already receiving matching funds.



New basins added by 2018 WIIIN (in red circle)

Federal Funding Received by States for Watercraft Inspection and Monitoring

	2017	2018	2019	Totals
Idaho	\$1,080,502	\$1,126,446	\$1,590,020	\$4,074,147
Washington	\$379,066	\$729,954	\$674,392	\$1,783,412
Oregon	\$538,223	\$650,766	\$703,199	\$1,892,188
Montana	\$2,046,183	\$2,237,569	\$2,198,395	\$6,482,147
Total to Region	\$4 million	\$5 million	\$6 million	\$15 million

\$18 million in 2020 (\$15 million for inspection stations & \$3 million for monitoring). This funding is currently open to 16 states. Must be matched by states to access funds.

PNWER Actions

- PNWER established a regional Advisory Committee to provide input to the US Army Corps of Engineers on resource allocation.
- Communicate to congressional delegation the importance of maintaining at least \$6 million per year for the Columbia basin.
- Support mandatory decontamination of fouled watercraft at federally managed waterbodies, especially lower Colorado River water bodies.
- S.2975 - Stop the Spread of Invasive Mussels Act of 2019 introduced in Congress
- We could have an active infestation at any time. Need to be ready throughout the region with early detection and rapid response plans. Conduct a regional cross border exercise to test response plans.



PACIFIC NORTHWEST ECONOMIC REGION'S

30TH ANNUAL SUMMIT

BIG SKY, MONTANA | JULY 19 -23, 2020

*Promoting U.S. - Canada
Regional Collaboration*



Questions

Contact:

Brandon Hardenbrook, PNWER COO

brandon@pnwer.org

206-443-7723

AGENDA
SENATE AGRICULTURAL AFFAIRS COMMITTEE
8:00 A.M.
Room WW53
Thursday, January 30, 2020

SUBJECT	DESCRIPTION	PRESENTER
Docket No. <u>11-0200-1900F</u>	Rules of the Idaho State Brand Board Fee Rule Book pg. 390	Cody Burlile, State Brand Inspector, Idaho State Police
Docket No. <u>02-0432-1901</u>	Rules Governing Poultry Operations Fee Rule Book pg 220	Dr. Bill Barton, Administrator, Animal Industries, Idaho State Department of Agriculture
Docket No. <u>02-0601-1901</u>	Rules Governing the Production and Distribution of Seed Fee Rule Book pg. 232	Lloyd Knight, Administrator, Division of Plant Industries, ISDA
Docket No. <u>02-0602-1902</u>	Rules Governing Registrations and Licenses Fee Rule Book pg. 258	Mr. Knight
Docket No. <u>02-0604-1901</u>	Rules Governing Plant Exports Fee Rule Book pg. 282	Mr. Knight
Docket No. <u>02-0605-1901</u>	Rules Governing Plant Disease and Quarantines Fee Rule Book pg. 299	Mr. Knight
Docket No. <u>02-0609-1901</u>	Rules Governing Invasive Species and Noxious Weeds Fee Rule Book pg. 327	Mr. Knight
Docket No. <u>02-0610-1901</u>	Rules Governing the Growing of Potatoes Fee Rule Book pg 357	Mr. Knight

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Guthrie
Vice Chairman Den Hartog

Sen Patrick
Sen Harris
Sen Mortimer

Sen Lent
Sen Bayer

Sen Jordan
Sen Nelson

COMMITTEE SECRETARY

LeAnn Mohr
Room: WW31
Phone: 332-1330
Email: sagri@senate.idaho.gov

MINUTES
SENATE AGRICULTURAL AFFAIRS COMMITTEE

DATE: Thursday, January 30, 2020

TIME: 8:00 A.M.

PLACE: Room WW53

MEMBERS PRESENT: Chairman Guthrie, Vice Chairwoman Den Hartog, Senators Patrick, Harris, Mortimer, Lent, Bayer, Jordan, and Nelson

ABSENT/ EXCUSED: None

NOTE: The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the Committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Guthrie** called the Senate Agricultural Affairs Committee (Committee) to order at 8:00 a.m.

INTRODUCTIONS: **Chairman Guthrie** asked Jason Fellows, President, The Young Farmers and Ranchers Committee, of the Farm Bureau to introduce YFRC audience members and speak about the benefits of YFRC membership.

PASSED THE GAVEL: Chairman Guthrie passed the gavel to Vice Chairwoman Den Hartog.

DOCKET NO. 11-0200-1900F **Cody Burlile**, State Brand Inspector, Idaho State Police, presented **Docket No. 11-0200-1900F**; Rules of the Idaho State Brand Board (Board). He said the rule adopts and republishes existing and previously approved rule chapters. He reported that the Board conducted negotiated rulemaking and in keeping with the Red Tape Reduction Act (RTRA), changes were minimal and non-substantial. He said the changes updated the rules to meet the current practices.

Mr. Burlile said there is a mistake in the fee summary and reviewed the correct fee schedule with the Committee. He explained the fee increases were due to statutory changes in 2019 and are below the statutory fee cap (Attachment 1).

MOTION: **Senator Harris** moved to approve **Docket No. 11-0200-1900F**. **Senator Mortimer** seconded the motion. The motion passed by **voice vote**.

DOCKET NO. 02-0432-1901 **Dr. Bill Barton**, Administrator, Animal Industries and State Veterinarian, Idaho State Department of Agriculture (ISDA), presented **Docket No. 02-0432-1901**; Rules Governing Poultry Operations. He stated this rule adopts and republishes a previously approved chapter and there were no substantive changes to the rule. He reviewed the minor changes to simplify the rules and said there were no changes to the fees. He said ISDA preformed Idaho Code § 22-101A analysis and determined that sections in the rule were broader in scope than those regulated by the federal government. The program establishes standards for the storage, management, and application of nutrients from commercial poultry operations in Idaho.

MOTION: **Senator Lent** moved to approve **Docket No. 02-0432-1901**. **Senator Nelson** seconded the motion. The motion passed by **voice vote**.

**DOCKET NO.
02-0601-1901**

Lloyd Knight, Administrator, Division of Plant Industries, ISDA, presented **Docket No. 02-0601-1901**; Rules Governing the Production and Distribution of Seed. He said negotiated rulemaking occurred and no comments were received regarding this rule. He said this rule combines three previous rules: pure seed law, rapeseed production and rapeseed districts, and rules governing bluegrass. He said the reviews were administered in line with the RTRA; minor and non-substantive changes were made. An Idaho Code § 22-101A analysis was preformed and it was determined the rule, in its entirety, regulates an activity not regulated by the federal government. The rule governs the sale and distribution of seed in Idaho, establishes fees for service testing, and makes definitions. No changes were made to the fee.

MOTION:

Senator Mortimer moved to approve **Docket No. 02-0601-1901**. **Senator Jordan** seconded the motion. The motion passed by **voice vote**.

**DOCKET NO.
02-0602-1902**

Mr. Knight presented **Docket No. 02-0602-1902**; Rules Governing Registrations and Licenses. He said a negotiated rulemaking meeting was announced and no comments were received. This rule combines five rules pertaining to licensing and registration of certain agricultural activities or products. It combined the following rules: Idaho commercial feed law, nurseries and forest law, Idaho fertilizer law, Idaho bee inspection law, and the soil and plant amendment act. The rule was reviewed, and changes were made to be consistent with the RTRA. An Idaho Code § 22-101A analysis was completed and the rule in its entirety regulates activities not regulated by the federal government. He gave a brief description and detailed the requirements of each of the subchapters. This rule regulates seed production. **Mr. Knight** detailed the updates to the incorporation by reference rules in the subchapters. All were updated to the standards of the RTRA. He stated that no fees were changed.

MOTION:

Senator Nelson moved to approve **Docket No. 02-0602-1902**. **Chairman Guthrie** seconded the motion. The motion passed by **voice vote**.

**DOCKET NO.
02-0604-1901**

Mr. Knight presented **Docket No. 02-0604-1901**; Rules Governing Plant Exports. He said a negotiated rulemaking meeting was held and no comments were received. This rule combines three previous rules regulating plant exports: rules concerning virus-free certification of nursery stock, rules governing ginseng export, and phytosanitary and post-entry seed certification rules. The rules were reviewed, and changes were made to be consistent with the RTRA. An Idaho Code § 22-101A analysis was completed, and the rule in its entity regulates activities not regulated by the federal government. He stated that no fees were changed.

MOTION:

Senator Jordan moved to approve **Docket No. 02-0604-1901**. **Senator Bayer** seconded the motion. The motion passed by **voice vote**.

**DOCKET NO.
02-0605-1901**

Mr. Knight presented **Docket No. 02-0605-1901**; Rules Governing Plant Disease and Quarantines. He said the rules were negotiated, and no comments were made. This rule combines 11 previous rules: hops, white rot disease of onion, apples and cherries, European corn borer, peach tree disease, disposal of cull onion and potatoes, mint rootstock, grape planting stock, Japanese beetle, anthracnose disease of lentil, and plum curculio. He said these all are quarantine rules and put into place several restrictions as requested by the regulated industry to ensure these diseases are addressed when located. The rules were reviewed, and changes were made to be consistent with the RTRA. An Idaho Code § 22-101A analysis was completed, and the rule in its entity regulates activities not regulated by the federal government.

Mr. Knight explained the minor changes to the rule which restrict movement and set forth treatment procedures to minimize the chance to spread regulated pests. He said there were no changes to the fees.

DISCUSSION: In response to a question concerning how areas are placed on the quarantine list, **Mr. Knight** explained the process that state and federal agencies use to track infected areas. He said as pests are discovered, the quarantined boundaries are updated.

MOTION: **Senator Mortimer** moved to approve **Docket No. 02-0605-1901**. **Chairman Guthrie** seconded the motion. The motion passed by **voice vote**.

DOCKET NO. 02-0609-1901 **Mr. Knight** presented **Docket No. 02-0609-1901**; Rules Governing Invasive Species and Noxious Weeds. He said the rules were negotiated, and no comments were made. This rule combines three previous rules: invasive species, noxious weeds, and noxious weed free forage and straw certification. The rules were reviewed, and changes were made to be consistent with the RTRA. An Idaho Code § 22-101A analysis was completed, and the rule in its entirety regulates activities not regulated by the federal government. He said the rule streamlines and simplifies the rules to prevent the spread of species and their impact on natural resources and crops. He stated there were no changes made to the fees.

MOTION: **Senator Harris** moved to approve **Docket No. 02-0609-1901**. **Senator Lent** seconded the motion. The motion passed by **voice vote**.

DOCKET NO. 02-0610-1901 **Mr. Knight** presented **Docket No. 02-0610-1901**; Rules Governing the Growth of Potatoes. He said the rules were negotiated, and no comments were made. This rule combines four previous rules: pale cyst nematode, seed potato crop management areas, bacterial ring rot, and minimum standards for planting uncertified seed potatoes in Idaho. The rules were reviewed, and changes were made to be consistent with the RTRA. An Idaho Code § 22-101A analysis was completed, and the rule in its entirety regulates activities not regulated by the federal government. **Mr. Knight** explained that this rule only regulates the planting and growing of potatoes to prevent the spread of pests and disease and the impact on potato production.

MOTION: **Senator Jordan** moved to approve **Docket No. 02-0610-1901**. **Senator Mortimer** seconded the motion. The motion passed by **voice vote**.

PASSED THE GAVEL: Vice Chairwoman Den Hartog passed the gavel to Chairman Guthrie.

ADJOURNED: There being no further business at this time, **Chairman Guthrie** adjourned the meeting at 8:59 a.m.

Senator Jim Guthrie
Chair

LeAnn Mohr
Secretary

Interoffice Memo**IDAHO STATE POLICE**

TO: House Agricultural Affairs Committee Chair Boyle/Vice Chair Troy
Senate Agricultural Affairs Committee Chair Guthrie/Vice Chair Hartog

FROM: Major Charlie Spencer, Rules Review Officer

SUBJECT: Brands Rule Docket #11-0200-1900F

DATE: January 15, 2020

I authored this memo to inform you that the Adoption of Pending Fee Rule notice in Brands Docket #11-0200-1900F contains a mistake wherein the Descriptive Summary, Fee Summary, and Fiscal impact language is incorrect. This docket does contain a fee increase for equine inspection fees in addition to the changes made for the Red Tape Reduction Act. These fee increases were negotiated in accordance with the normal rulemaking process.

As the designated ISP Rule Review Officer, I was tasked with coordinating ISP efforts to work with all ISP programs pursuant to the Red Tape Reduction Act. One of those programs was the Brands program, overseen by State Brand Inspector Cody Burlile, who answers to the Brand Board.

Two Brands IDAPA rules were reauthorized and effective July 1, 2019. Those were rules 11.02.01 and 11.02.02. During the summer of 2019, Inspector Burlile engaged in negotiated rulemaking to increase the equine inspection fees. He held and coordinated public meetings, published the rules as necessary, and worked with all his stakeholders to adjust the fee schedule. He did all of this in accordance with the normal rulemaking process for these fee changes.

In addition, he engaged in reducing his rules according to the Red Tape Reduction Act and in fact combined two chapters into one, becoming 11.02.01, thereby eliminating 4 pages and 1185 words.

The Brands Board approved all the specifics of the above actions, the negotiated rulemaking and fee increase, as well as the Red Tape Reduction efforts. Numerous people were involved in all of these efforts at various stages including input from our assigned Deputy Attorney General.

As I began submitting rules for publication in the November bulletin, Cody Burlile, DFM, and I had several conversations on the proper way to move forward with all the rules. Due to the fact that the fee increases were negotiated and done in accordance with the normal rulemaking process all of the rules were rolled into the omnibus packet, published and submitted. However when I submitted rule 11.02.01, which included the new negotiated fees, as well as incorporating the non-substantial changes, I mistakenly failed to properly reflect the fiscal note and associated information in the omnibus fee notice.

Following the publishing of the November bulletin, no comments or requests were made of ISP or Brands concerning the changes to the rule. Once that time period expired and no comments were received all the rules were simply waiting for the 2020 Legislative session.

It was only this week while preparing for this rule presentation when we discovered our error.

I am offering this information to be provided to your committee to ensure that you are aware of this issue. Our entire process was taken very seriously and with the primary goal of transparency. Though this mistake occurred, I can assure you that there was never any intention at any stage of this process to have anything short of full transparency and accountability.

I have attached the Notice of Intent to promulgate rules and the original rules submittal form for agency rules to this memo. Brands Inspector Cody Burlile also maintained his record of rulemaking and has additional information if needed.

Respectfully submitted

A handwritten signature in dark ink, appearing to be 'C. Spencer', written in a cursive style.

Major Charlie Spencer
Idaho State Police

034. SCHEDULE OF FEES FOR THE IDAHO STATE BRAND BOARD.

01. Fees. Fees authorized by the State Brand Board and to be collected by the State Brand Inspector are as follows:

SCHEDULE OF FEES		
Recording of a Brand	\$50 initial recording fee plus a \$20 per year prorated staggered recording fee every year thereafter	
Transfer of a recorded brand	\$50.00	
Renewal of a recorded brand (every five years)	\$100.00	
Duplicate brand registration certificate	\$1.50	
Lifetime Ownership and transportation certificate	\$35.00 \$50.00	
Duplicate lifetime ownership and transportation certificate	\$5.00	
Annual inspection equine or bovine	\$5.00	
	CATTLE	HORSES
Brand inspection (per head)	\$1.19	\$1.50 \$5.00
Idaho livestock to pasture (per head)	\$.60	\$.75 \$2.50
Minimum auction fee (per day)	\$50.00	\$50.00
Minimum field brand inspection fee	\$20.00	\$20.00
Equine farm service fee		\$55.00 \$45.00
Courtesy brand inspection	\$1.19	\$1.50 \$5.00

Fees To Be Collected By The State Brand Inspector For Other State Agencies:	
Idaho Beef Council (per head)	\$1.50
Idaho Horse Board (per head)	\$3.00
Idaho Department of Agriculture:	
Animal Disease Control (per head)	\$.22
Animal Damage Control (per head)	\$.05
Wolf Control Assessment	\$25/brand renewal \$5/staggered recording fee every year thereafter

AGENDA
SENATE AGRICULTURAL AFFAIRS COMMITTEE
8:00 A.M.
Room WW53
Tuesday, February 04, 2020

SUBJECT	DESCRIPTION	PRESENTER
Minutes Approval:	Minutes of January 14, 2020	Senator Bayer
Presentation:	Idaho Potato Commission	Frank Muir, President/CEO, Idaho Potato Commission
<u>RS27484</u>	Relating to Animals; Repeal Hogs Running At Large Within Towns	Colby Cameron, Regulatory Analyst, Idaho Division of Financial Management
<u>RS27517</u>	Memorial for the Columbia-Snake River Water System	Senator Harris
Docket No. <u>46-0101-1900F</u>	Rules of the State of Idaho Board of Veterinary Medicine - Fee Rule Book pg. 415	Jeremy Brown, Executive Director, Idaho Board of Veterinary Medicine
Docket No. <u>46-0101-1902</u>	Rules of the State Of Idaho Board of Veterinary Medicine - Fee Rule Book pg. 442	Mr. Brown
Docket No. <u>02-0414-1901</u>	Rules Governing Dairy Byproduct - Temporary Rule Book pg. 3	Brian Oakey, Deputy Director, Idaho State Department of Agriculture
Docket No. <u>02-0405-1901</u>	Rules Governing Grade A Milk and Manufacture Grade Milk - Fee Rule Book pg. 173	Dr. Bill Barton, Administrator, Animal Industries, ISDA
Docket No. <u>02-0430-1903</u>	Rules Governing Environmental and Nutrient Management - Pending Rule Book pg. 182	Dr. Barton

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Guthrie	Sen Lent
Vice Chairman Den Hartog	Sen Bayer
Sen Patrick	Sen Jordan
Sen Harris	Sen Nelson
Sen Mortimer	

COMMITTEE SECRETARY

LeAnn Mohr
Room: WW31
Phone: 332-1330
Email: sagri@senate.idaho.gov

MINUTES
SENATE AGRICULTURAL AFFAIRS COMMITTEE

DATE: Tuesday, February 04, 2020

TIME: 8:00 A.M.

PLACE: Room WW53

MEMBERS PRESENT: Chairman Guthrie, Vice Chairwoman Den Hartog, Senators Patrick, Harris, Mortimer, Lent, Bayer, Jordan, and Nelson

ABSENT/ EXCUSED: None

NOTE: The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the Committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Guthrie** called the Senate Agricultural Affairs Committee (Committee) to order at 8:00 a.m.

MINUTES APPROVAL: **Senator Bayer** moved to approve the Minutes of January 14, 2020. **Senator Jordan** seconded the motion. The motion passed by **voice vote**.

PRESENTATION: **Frank Muir**, President/CEO, Idaho Potato Commission (Commission), presented the financial update of the Commission. He said the statutory requirement for the Commission is to present to the House and Senate Agriculture Committees the financial status of the Commission. He said his report will cover the budget as compared to the actual net.

Mr. Muir explained the revenue resources of the Commission for 2019; a potato tax and a federal grant program. He said the actual receipts received were about \$1 million higher. He detailed the budgeted expenditures of the Commission and reported that the actual expenses were lower; as a result, the Commission was able to add more funds to the reserve account. **Mr. Muir** gave the Committee a high-level overview of the 2020 Commission budget and explained the reduction of acreage planting and weather problems that impacted crop yield, which changed the poundage that was sold. He reported the money in the reserve account and explained how those funds are used and need to maintain a three-month reserve.

Mr. Muir detailed how the Commission worked with the University of Idaho to develop guidelines to help farmers and shippers minimize losses due to the early frost.

Mr. Muir gave an overview of the expenditures in the food service category of the Commission's budget. He said the programs of the Commission are separated into three selling categories: consumer, food service, and retail. He detailed specific programs in each of the categories. He reported the number of staff of the Commission and the work they undertake.

Mr. Muir gave a brief history of his time at the Commission and how he has worked diligently to promote and raise the connection of the potato to Idaho. He spoke about the variety of marketing programs and highlighted the New Year Potato Drop and the Idaho Football Potato Bowl.

RS 27484 **Colby Cameron**, Regulatory Analyst, Idaho Division of Financial Management (DFM), presented **RS 27484**, Relating to Animals; Repeal Hogs Running At Large Within Towns. He said the proposed legislation is consistent with the Red Tape Reduction Act (RTRA) and seeks to eliminate inactive provisions of the law regarding the taking up of trespassing hogs. The law has been on the books for over 100 years and is no longer applicable.

MOTION: **Senator Mortimer** moved to send **RS 27484** to print. **Senator Bayer** seconded the motion. The motion passed by **voice vote**.

RS 27517 **Senator Harris** presented **RS 27517**, Memorial for the Columbia-Snake River Water System. He explained the importance of the Joint Memorial and how it recognizes the purpose of the rivers and dams along the Columbia-Snake River water system. He spoke about Idaho being the only landlocked state with a seaport. **Senator Harris** detailed the amount of tonnage that is transported along the river and equated it to the number of train and semi loads it would take to transport that same tonnage. He stated that every life is affected by the economic impact of the rivers. The river and the dam systems provide affordable transportation, recreational opportunities, utilities, and river stability. **Senator Harris** said the Joint Memorial reiterates the importance of the Columbia-Snake River Water System to Idaho.

MOTION: **Senator Mortimer** moved to send **RS 27517** to print. **Vice Chairwoman Den Hartog** seconded the motion. The motion passed by **voice vote**.

PASSED THE GAVEL: Chairman Guthrie passed the gavel to Chairwoman Den Hartog.

DOCKET NO. 46-0101-1900F **Vice Chairwoman Den Hartog** announced to the Committee that **Docket No 46-0101-1900F** is being brought back before the Committee.

Jeremy Brown, Executive Director, Idaho Board of Veterinary Medicine, was unavailable to present. In his place, **Mr. Cameron** addressed **Docket No. 46-0101-1900F**, Rules of the State of Idaho Board of Veterinary Medicine. He said the Committee approved the docket at a prior meeting and after that meeting the DFM analyst found an error in the fee table. **Mr. Cameron** explained the meeting DFM conducted with Chairman Guthrie and Vice Chairman Den Hartog and asked that the Docket be brought back to Committee to address the error. He asked the Committee to support a motion to reject Section 011.01. He said the fee table will be corrected with a temporary rule and stated the intention is to keep the fees the same.

Vice Chairman Den Hartog directed the Committee members to review the specific fee table in the docket and explained the inadvertent fee addition that was added to the table.

When asked if the public is being charged the incorrect amount, **Mr. Cameron** replied in the negative. He stated that the incorrect fees had not been made public therefore the day-to-day work had remained with the same fee structure.

Senator Patrick complimented the rule writers for the great work they have accomplished with so few errors.

MOTION: **Chairman Guthrie** moved to approve **Docket No. 46-0101-1900F** with the exception of Subsection 011.01. **Senator Mortimer** seconded the motion. The motion passed by **voice vote**.

**DOCKET NO.
46-0101-1902**

Mr. Cameron presented **Docket No. 46-0101-1902**; Rules of the State of Idaho Board of Veterinary Medicine. He asked the Committee to fully reject the rule because of errors in the fee table. Rejecting the rule would set it back to the prior year's fee table.

MOTION:

Chairman Guthrie moved to reject **Docket No. 46-0101-1902**. **Senator Lent** seconded the motion. The motion passed by **voice vote**.

**DOCKET NO.
02-0414-1901**

Brian Oakey, Deputy Director, Idaho State Department of Agriculture (ISDA), presented **Docket No. 02-0414-1901**; Rules Governing Dairy Byproduct, a temporary rule which adopted and republished a previously approved and codified rule chapter. He explained the temporary rule resulted from two petitions received by ISDA in 2018. The first petition was submitted by the Milk Producers of Idaho and the Idaho Farm Bureau as a joint petition requesting the rule be modified to allow dairy farmers the option of choosing the phosphorus threshold method or the phosphorus indexing method of managing nutrients permanently. It includes a sunset provision through June 2023. The second petition came from the Idaho Dairyman's Association requesting the consideration for variations in soil phosphorus testing be built into the phosphorus threshold method.

Mr. Oakey detailed the negotiated rulemaking meetings, the sunset clause, and the need to meet stakeholder consensus. He said the stakeholders are asking the Committee to extend the temporary rule so it does not expire at the end of the 2020 Legislative Session. Approval of the temporary rule would allow the negotiated rulemaking group to continue to work towards resolution.

Mr. Oakey outlined for the Committee the issues of the rule that remain to be resolved. Those are as follows: 1.) whether to retain the phosphorus threshold method for managing dairy byproducts permanently; 2.) development of the nutrient management standard; 3.) determining an appropriate buffer to account for variability in soil phosphorus testing; and 4.) determining a trigger point that soil phosphorus levels require a transition to phosphorus indexing. He stated with those issues left unresolved, the majority of the stakeholders supported continuing the negotiated rulemaking.

DISCUSSION:

In response to a Committee question about the two different phosphorus gauging methods, **Mr. Oakey** explained the difference between phosphorus indexing and phosphorus threshold. He said the industry stakeholders are looking at options to address phosphorus levels and the cost associated with regulations.

Chairman Guthrie said this rule has had some very pointed discussion. The sunset of the threshold testing method has become a real concern. He said it is his expectation that the negotiations can be in good faith to allow flexibility in the testing methods. He emphasized the value in having the option to choose.

Chairman Guthrie asked that the negotiated rulemaking path be diligent in trying to afford options to different situations because not every dairyman is in the category where they would need to be required to do the indexing method.

Mr. Oakey thanked the Chairman for his perspective. He said the industry stakeholders that have been part of the negotiated rulemaking and the feedback that they have given to ISDA has been very clear that there is a need for some options in their industry. Members have also raised concerns about costs associated with the regulations associated with this rule. He said those concerns are being considered and are part of the rulemaking record.

MOTION:

Senator Patrick moved to approve **Docket No. 02-0414-1901**. **Senator Nelson** seconded the motion. The motion passed by **voice vote**.

**DOCKET NO.
02-0405-1901**

Dr. Bill Barton, Administrator, Animal Industries, ISDA, presented **Docket No. 02-0405-1901**, Rules Governing Grade A Milk and Manufacture Grade Milk. He said this is a new chapter that streamlines and simplifies all rules related to milk production. The new chapter consolidates four previously approved and codified rules: manufactured grade milk, license dairy plants, grade A milk and milk products, and milk and cream procurement and testing. He said there were no substantive changes made to rule and it complies with the RTRA. He stated there was negotiated rulemaking with no comments and the Idaho Code § 22-101A analysis was made on the rule which determined there are provisions in the rule that are more stringent than federal regulation. He stated this is a fee rule with no changes. The fees under this rule are authorized by Idaho Code §§ 37-407, 37-503, and 37-511. **Dr. Barton** said the new chapter addresses regulations pertaining to different phases of milk production, including the inspection, production processing analysis, and transport of grade A milk and manufactured grade milk.

MOTION:

Senator Harris moved to approve **Docket No. 02-0405-1901**. **Senator Patrick** seconded the motion. The motion passed by **voice vote**.

**DOCKET NO.
02-0430-1903**

Dr. Barton presented **Docket No. 02-0430-1903**, Rules Governing Environmental and Nutrient Management. He said this is a new chapter and streamlines and simplifies all rules related to general environmental regulations on livestock facilities. The new chapter consolidates four previously approved and codified rules; agricultural odor management, CAFO site advisory team, nutrient management, and stockpiling of agricultural waste. There were no substantive changes made to the rules and they completed the work in compliance with the RTRA to update and eliminate repetitive and redundant language. Negotiation rulemaking was performed, and no comments were made. An Idaho Code § 22-101A analysis was performed and determined that the rule in its entirety regulates an activity not regulated by the federal government. The rule addresses the inspection of regulated facilities, regulation of odor, waste stockpiling, nutrient management, and CAFO site approval for regulated facilities.

In response to Committee questions, **Dr. Barton** said if a facility is non-compliant with the odor rules, the director is empowered to work with that producer to develop an odor management plan. Each plan is unique to the facility.

MOTION:

Senator Mortimer moved to approve **Docket No. 02-0430-1903**. **Senator Jordan** seconded the motion. The motion passed by **voice vote**.

**PASSED THE
GAVEL:**

Vice Chairwoman Den Hartog passed the gavel to Chairman Guthrie.

ADJOURNED:

There being no further business at this time, **Chairman Guthrie** adjourned the meeting at 8:59 a.m.

Senator Jim Guthrie
Chair

LeAnn Mohr
Secretary

AMENDED AGENDA #1
SENATE AGRICULTURAL AFFAIRS COMMITTEE
8:00 A.M.
Room WW53
Thursday, February 06, 2020

SUBJECT	DESCRIPTION	PRESENTER
Minutes Approval:	Minutes of January 21, 2020	Vice Chair Den Hartog
<u>RS27620</u>	Relating to Cervidae	Jeff Siddoway
<u>RS27643</u>	Joint Memorial for the Columbia-Snake River Water System	Senator Harris
<u>S 1248</u>	Relating to Seed and Plant Certification; Amend, Remove, and Make Technical Corrections	Mike Keckler, Chief Communications and Legislative Affairs Officer, State Board of Education
<u>S 1223</u>	Relating to Food; Repeals Chapters	Chanel Tewalt, Chief Operating Officer/Communications, Idaho State Department of Agriculture
<u>S 1224</u>	Relating to Weighmasters; Amend, Repeal, and Revise Chapters	Ms. Tewalt
<u>S 1225</u>	Relating to Agriculture; Amend and Revise Chapters	Ms. Tewalt
<u>S 1246</u>	Relating to State Government; Repeal Chapter	David Fulkerson, Deputy Administrator, State Financial Officer, Division of Financial Management

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Guthrie
Vice Chairman Den Hartog

Sen Patrick
Sen Harris
Sen Mortimer

Sen Lent
Sen Bayer

Sen Jordan
Sen Nelson

COMMITTEE SECRETARY

LeAnn Mohr
Room: WW31
Phone: 332-1330
Email: sagri@senate.idaho.gov

MINUTES
SENATE AGRICULTURAL AFFAIRS COMMITTEE

DATE: Thursday, February 06, 2020

TIME: 8:00 A.M.

PLACE: Room WW53

MEMBERS PRESENT: Chairman Guthrie, Vice Chairman Den Hartog, Senators Patrick, Harris, Mortimer, Lent, Bayer, Jordan, and Nelson

ABSENT/ EXCUSED: None

NOTE: The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the Committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Guthrie** called the Senate Agricultural Affairs Committee (Committee) to order at 8:00 a.m.

MINUTES APPROVAL: **Vice Chairwoman Den Hartog** moved to approve the Minutes of January 21, 2020. **Senator Jordan** seconded the motion. The motion passed by **voice vote**.

RS 27620 **Jeff Siddoway** stood to present **RS 27620**, Relating to Cervidae.

MOTION: **Senator Mortimer** moved to send **RS 27620** to print. **Vice Chairwoman Den Hartog** seconded the motion. The motion passed by **voice vote**.

RS 27643 **Senator Harris** stood to present **RS 27643**, Joint Memorial for the Columbia-Snake River Water System.

MOTION: **Senator Patrick** moved to send **RS 27643** to print. **Senator Mortimer** seconded the motion.

DISCUSSION: **Senator Jordan** said the Joint Memorial is about policy decisions. She asked if this will be returned to Committee for the opportunity to speak to the proposed legislation. **Senator Harris** replied in the affirmative.

VOICE VOTE: The motion to send **RS 27643** to print passed by **voice vote**.

S 1248 **Mike Keckler**, Chief Communications and Legislative Affairs Officer, State Board of Education (SBE), presented **S 1248**, Relating to Seed and Plant Certification; Amend, Remove, and Make Technical Corrections. He said the proposed legislation is to eliminate the requirement that the Idaho Agricultural Experiment Station located within the College of Agriculture at the University of Idaho use the Administrative Rule process for setting standards for seed certification. He explained the current certification process which has the Idaho Crop Improvement Association (ICIA) first develop the standards before submitting them to the negotiated rulemaking process. **Mr. Keckler** said this proposed legislation would remove a layer of bureaucracy. He detailed the changes in the legislation and stated there will be a codified 30-day comment period to assure the opportunity for public comments.

DISCUSSION: **Tracie Bent**, Chief Planning and Policy Officer, SBE, explained the history of the negotiated rulemaking and the lack of participation by individuals. She said the 30-day period is a similar timeframe as the 21-day period in negotiated rulemaking. She stated no public comments were made regarding the proposed timeframe. She said SBE spoke with stakeholders and they were comfortable with the proposed changes. **Ms. Bent** explained the ICIA process for seed certification and stated there is much more participation in that process than the negotiated rulemaking process.

Senator Patrick stated that ICIA board members are elected and most are seed producers. He explained how the information is readily available, and the process is very public.

TESTIMONY: **Alex LeBeau**, President, Idaho Association of Commerce and Industry, spoke in support of the legislation. He said the public process will remain available. The proposed legislation allows for a quicker process for decision making. He assured the Committee that if this doesn't work the ICIP will be back to find a workable process.

MOTION: **Senator Mortimer** moved to send **S 1248** to the floor with a **do pass** recommendation. **Senator Lent** seconded the motion. The motion passed by **voice vote**.

DISCUSSION: **Senator Mortimer** explained that as Education Chairman, many of the seed certification rules are referred to the Education Committee due to the University of Idaho correlation. He explained the process of sending those rules to the Agricultural Affairs Committee. He said he is assured of the proposed legislation because of the stakeholder's support and reaffirmed his concern regarding the 30-day review period. He said he will be supporting the motion.

VOICE VOTE: The motion to send **S 1248** to the floor with a **do pass** recommendation passed by **voice vote**.

S 1223 **Chanel Tewalt**, Chief Operating Officer/Communications, Idaho State Department of Agriculture (ISDA) presented **S 1223**, Relating to Food; Repeals Chapters. She said the proposed legislation repeals the labeling for some imported foods and the repeal of a chapter that addresses the enrichment of bread and flour. The proposed legislation impacts some food retailers and bread and flour manufacturers; they could benefit from removing the unneeded layers of regulations on industry. She stated there is no fiscal impact to the General Fund nor ISDA. This has the potential for cost savings for Idaho businesses.

MOTION: **Senator Mortimer** moved to send **S 1223** to the floor with a **do pass** recommendation. **Vice Chairwoman Den Hartog** seconded the motion. The motion passed by **voice vote**.

S 1224 **Ms. Tewalt** presented **S 1224**; Relating to Weighmasters; Amend, Repeal, and Revise Chapters. She explained the definition of a weighmaster and what their activities encompass. ISDA reviewed the occupational licenses and determined that this license is no longer necessary. The proposed legislation will repeal the weighmaster license. ISDA does not anticipate any substantial harm to current activities or the public. She said there is no fiscal impact to the General Fund, however it will decrease dedicated funds in ISDA by approximately \$8,000. The proposed legislation will have a monetary saving for Idaho businesses.

MOTION: **Senator Harris** moved to send **S 1224** to the floor with a **do pass** recommendation. **Vice Chairwoman Den Hartog** seconded the motion.

DISCUSSION: **Senator Patrick** stated in his experience the weighmaster has not been the one weighing things, that person has overseen the process.

Ms. Tewalt said the scales undergo rigorous inspections. When the devices are inspected, they are calibrated and inspected for maintenance and cleanliness. ISDA will continue to inspect the scales for accuracy.

VOICE VOTE: The motion to send **S 1224** to the floor with a **do pass** recommendation passed by **voice vote**.

- S 1225** **Ms. Tewalt** presented **S 1225**; Relating to Agriculture; Amend and Revise Chapters. She said the proposed legislation will remove a rule requirement in Title 22 of Idaho Code, which will change and reduce some reporting requirements. There will be no fiscal impact to the customers. She stated the proposed legislation will remove redundancy and explained the codified requirements that are to be eliminated. She said the proposed legislation is in line with the Red Tape Reduction Act (RTRA).
- MOTION:** **Vice Chairwoman Den Hartog** moved to send **S 1225** to the floor with a **do pass** recommendation. **Senator Bayer** seconded the motion. The motion passed by **voice vote**.
- S 1246** **David Fulkerson**, Deputy Administrator, State Financial Officer, Division of Financial Management presented **S 1246**, Relating to State Government; Repeal Chapter. He stated the proposed legislation is part of the RTRA and will eliminate codes no longer needed. This will repeal Idaho Code § 52-22 ; Carbon Sequestration Advisory Committee established in 2002; and Idaho Code § 3-70; The Snake River Improvements Commission; neither the committee nor the commission are active.
- DISCUSSION:** In response to Committee questions, **Mr. Fulkerson** replied that the Soil Conservation Commission and the local districts are still gathering the climate impact information.
- MOTION:** **Senator Lent** moved to send **S 1246** to the floor with a **do pass** recommendation. **Senator Patrick** seconded the motion. The motion passed by **voice vote**.
- ADJOURNED:** There being no further business at this time, **Chairman Guthrie** adjourned the meeting at 8:42 a.m.

Senator Jim Guthrie
Chair

LeAnn Mohr
Secretary

AGENDA
SENATE AGRICULTURAL AFFAIRS COMMITTEE
8:00 A.M.
Room WW53
Tuesday, February 11, 2020

SUBJECT	DESCRIPTION	PRESENTER
Minutes Approval:	Minutes of January 23, 2020	Senator Lent
Minutes Approval:	Minutes of January 30, 2020	Senator Mortimer
<u>S 1294</u>	Relating to Domestic Cervidae; Amend and Revise	Jeff Siddoway
<u>S 1286</u>	Relating to Animals; Repeal Section Relating to Hogs at Large	Colby Cameron, Regulatory Analysis, Division of Financial Management

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Guthrie	Sen Lent
Vice Chairman Den Hartog	Sen Bayer
Sen Patrick	Sen Jordan
Sen Harris	Sen Nelson
Sen Mortimer	

COMMITTEE SECRETARY

LeAnn Mohr
Room: WW31
Phone: 332-1330
Email: sagri@senate.idaho.gov

MINUTES
SENATE AGRICULTURAL AFFAIRS COMMITTEE

DATE: Tuesday, February 11, 2020

TIME: 8:00 A.M.

PLACE: Room WW53

MEMBERS PRESENT: Chairman Guthrie, Vice Chairwoman Den Hartog, Senators Patrick, Harris, Mortimer, Lent, Bayer, Jordan, and Nelson

ABSENT/ EXCUSED: None

NOTE: The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the Committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Guthrie** called the Senate Agricultural Affairs Committee (Committee) to order at 8:00 a.m.

MINUTES APPROVAL: **Senator Lent** moved to approve the Minutes of January 23, 2020. **Senator Mortimer** seconded the motion. The motion carried by **voice vote**.
Senator Mortimer moved to approve the Minutes of January 30, 2020. **Senator Lent** seconded the motion. The motion carried by **voice vote**.

S 1294 **Jeff Siddoway**, Idaho Elk Breeders Association, presented **S 1294**, Relating to Domestic Cervidae; Amend and Revise. He outlined the history of revenue and expenses of the Animal Industries Domestic Cervidae Fund which led to the promulgation of this bill (see attachment 1). **Mr. Siddoway** explained how there have been years when expenses were higher than revenue, causing a negative fund balance. He noted that fees were doubled in 2014, and the amount of inspection and testing required were lessened, resulting in the debt being paid and the fund currently having a surplus. **S 1294** would reduce the fees to not more than \$10 as determined by the Idaho State Department of Agriculture's (ISDA) director.

MOTION: **Senator Mortimer** moved to send **S 1294** to the floor with a **do pass** recommendation. **Senator Harris** seconded the motion.

DISCUSSION: **Vice Chairwoman Den Hartog** asked if there needs to be in law what is already in rule which allows the ISDA's director to reduce the fee if the account balance reaches \$100,000. **Mr. Siddoway** replied ISDA believes that it would be best to have this language in code rather than rule.
Vice Chairwoman Den Hartog asked what provisions ISDA has to move the fees that operators have paid between the different livestock funds. She expressed her concern about the possibility of future accruing debt. **Mr. Siddoway** replied that the General Livestock Fund is available for emergencies.
Vice Chairwoman Den Hartog reiterated her concern regarding the director's discretion to change the amount of the fees. She stated that the language in rule might be better than the language set forth in this bill.

VOICE VOTE: The motion to send **S 1294** to the floor with a **do pass** recommendation carried by **voice vote**. **Senator Den Hartog** requested she be recorded as voting nay.

S 1286 **Colby Cameron**, Regulatory Analysis, Division of Financial Management, presented **S 1286**. Relating to Animals; Repeal Sections Relating to Hogs at Large. **Mr. Cameron** said the passage of the proposed legislation would repeal Idaho Code §§ 25-2102 through 25-06. He stated that these sections of the pre-1889 law relate to taking hogs at large and giving notification of their capture and location. **Mr. Cameron** noted that while other parts of the law are still relevant and should be kept, these sections are obsolete.

MOTION: **Senator Nelson** moved to send **S 1286** to the floor with a **do pass** recommendation. **Senator Patrick** seconded the motion. The motion carried by **voice vote**.

ADJOURNED: There being no further business at this time, **Chairman Guthrie** adjourned the meeting at 8:23 a.m.

Senator Jim Guthrie
Chair

LeAnn Mohr
Secretary

Carol Cornwall
Assistant Secretary

Harvested or died

2015 1056
2016 952
2017 1027
2018 1172

Animal Industries
Domestic Cervidae
PCA - 22503, 22104
Fund 0332-06

	2013	2014	2015	2016	2017	2018	2019	2020
Revenues								
License Plate Transfer	22,362.75	21,718.00	21,820.75	22,044.50	21,400.50	22,355.25	23,164.94	
Fines	2,500.00	3,000.00	6,500.00	7,600.00	2,800.00	5,680.00	5,100.00	
Licenses	20,896.00	23,661.00	65,218.10	58,665.00	58,348.00	61,989.00	66,506.00	
Total Revenues	45,758.75	48,379.00	93,538.85	88,309.50	82,548.50	90,024.25	94,770.94	7,17
Personnel	51,164.19	46,228.51	44,488.50	45,402.53	59,015.00	62,882.92	40,881.70	
Operating Expense								
Lab testing	-	-	-	-	-	-	990.00	
Training	-	-	-	-	-	-	-	
Travel	4,033.08	1,871.34	877.91	999.66	402.17	2,757.90	1,785.00	
Other	1,044.86	1,491.94	1,659.98	957.28	3,022.14	1,014.57	274.76	207
Total Operating	5,077.94	3,363.28	2,537.89	1,956.94	3,424.31	3,772.47	3,049.76	
Total Expenses	56,242.13	49,591.79	47,026.39	47,359.47	62,439.31	66,655.39	43,931.46	234
Net Cash Position Accumulated	(10,483.38) (166,273.54)	(1,212.79) (167,486.33)	46,512.46 (119,761.08)	40,950.03 (78,811.05)	20,109.19 (58,701.86)	23,368.86 (35,333.00)	50,839.48 15,506.48	

AMENDED AGENDA #1
SENATE AGRICULTURAL AFFAIRS COMMITTEE
8:00 A.M.
Room WW53
Thursday, February 13, 2020

SUBJECT	DESCRIPTION	PRESENTER
Page Farewell	Moses Brown of Nampa, Idaho	Chairman Guthrie
<u>S 1291</u>	Changes the authority of nominating members to the Idaho Rangeland Resource Commission.	Senator Brackett
Presentation	Idaho Grain Producers, River Systems, and Transportation	Stacey Satterlee, Executive Director, Idaho Grain Producer Association Paul Arrington, Executive Director Idaho Water Users Will Hart, Executive Director Idaho Consumer Owned Utilities Dave Doeringsfeld, General Manager, Port of Lewiston

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Guthrie	Sen Lent
Vice Chairman Den Hartog	Sen Bayer
Sen Patrick	Sen Jordan
Sen Harris	Sen Nelson
Sen Mortimer	

COMMITTEE SECRETARY

LeAnn Mohr
Room: WW31
Phone: 332-1330
Email: sagri@senate.idaho.gov

MINUTES
SENATE AGRICULTURAL AFFAIRS COMMITTEE

DATE: Thursday, February 13, 2020

TIME: 8:00 A.M.

PLACE: Room WW53

MEMBERS PRESENT: Chairman Guthrie, Senators Patrick, Harris, Lent, Bayer, Jordan, and Nelson

ABSENT/ EXCUSED: Vice Chairwoman Den Hartog and Senator Mortimer

NOTE: The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the Committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Guthrie** called the Senate Agricultural Affairs Committee (Committee) to order at 8:01 a.m.

PAGE FAREWELL: **Chairman Guthrie** thanked the page, Moses Brown, for his excellent work during the session. **Mr. Brown** stated that this had been the best experience of his life and explained his overall goal will be to find a career which helps others. Chairman Guthrie presented Mr. Brown with a token of the Committee's appreciation.

S 1291 **Senator Brackett** presented **S 1291**, which to changes the authority of nominating Members to the Idaho Rangeland Resource Commission (Commission). He said there are three different entities that nominate and submit names for members to the Commission, one of which is the Idaho Rangeland Committee (IRC). He said the IRC has become inactive and is no longer in existence. The proposed legislation will designate other entities to nominate and submit names for the IRC's two seats. The bill names the Partners Advisory Council (PAC) of the University of Idaho Rangeland Center and the Commission to each nominate and submit one name for one of the two seats formerly nominated by the IRC. He said **S 1291** updates the statute to reflect current practices.

DISCUSSION: **Senator Harris** asked why the IRC became inactive. **Senator Brackett** replied when the Commission was formed, it assumed some of the duties of the IRC. The blended resources and limited number of people working in the variety of organizations caused the IRC to become obsolete.

MOTION: **Senator Nelson** moved to send **S 1291** to the floor with a **do pass** recommendation. **Senator Jordan** seconded the motion. The motion carried by **voice vote**.

PRESENTATION: **Stacey Satterlee**, Executive Director, Idaho Grain Producers Association (IGP), introduced Paul Arrington, Executive Director, Idaho Water Users Association (IWU), to begin the presentation.

Mr. Arrington detailed the founding and composition of the IWU. He said IWU provided a united voice on issues relating to Idaho's waters and the salmon and steelhead recovery. He spoke about the four current issues that IWU is addressing: 1.) Columbia River System Operations; 2.) Columbia Basin Partnership; 3.) Governor's Salmon Workgroup; and 4.) Washington Governor's Orca Taskforce. He gave an overview of the river system's significant value to Idaho's economy and spoke about the Boise, Minidoka, Owyhee, and Palisades projects' contributions to crops, livestock, power, flood prevention, and recreation.

Mr. Arrington explained the Snake River Water Rights Agreement which came about from tribal claims and spoke about the specifics of the agreement. He talked about flow augmentation and the benefits to the salmon and steelhead migration. He concluded his presentation by detailing the water users benefits from IWU.

Will Hart, Executive Director, Idaho Consumer-Owned Utilities Association (ICUA), explained to the Committee the principals and the regional areas the ICUA serves. He highlighted the low cost and low regulations associated with ICUA power. He emphasized the importance of hydropower and its benefits to customers and the climate. He reported that hydropower is a consistent power source and noted its ability to increase power flow as needed during peak demands for energy. He spoke about the funding received from consumers to aid with fish and wildlife mitigation.

Ms. Satterlee presented "Moving Wheat from Idaho to Consumers Around the World," which highlighted the wheat industry's economic impact to Idaho. She explained the Port of Lewiston's effect of the exporting on Idaho and Washington wheat. She showed the Committee a video that highlighted the transportation of wheat in a barge down the Columbia-Snake River water system. She explained that barging wheat is one of the most environmentally friendly modes of transportation available.

Ms. Satterlee reported the amount of tonnage barged and what that would equate to if loaded onto railcars and semi-trucks. She reported the negative consequences that ground transportation would have on the environment if the dams were breached. She spoke about the importance of exporting the wheat and reported the number of countries that currently purchase Idaho wheat. She emphasized the importance of barging as a way to keep costs contained which helps with exporting.

Dave Doeringsfeld, General Manager, Port of Lewiston, Idaho's only seaport, presented a study that had been completed by the Pacific Northwest Waterways Association (PNWA). The report reviewed the implications of breaching the lower Snake River Dams and the impact it would have on moving commodities up and down the Snake River water system. He detailed the millions of cargo tonnage that is transported on the Snake River water system. He warned the Committee of the exorbitant costs associated with breaching the dams and the harm it would do to family farms, the environment, and the cost of wheat.

Mr. Doeringsfeld explained the U.S. Army Corps of Engineers' program in 1992 to reduce the river flow and the negative impact to Lewiston, Idaho and Clarkston, Washington. That program revealed the important work of dams to ensure the continued river flow. He concluded his presentation by highlighting the expansion of the tourism industry due to the opportunities the river provides (see attachment 1 and 2).

ADJOURNED: There being no further business at this time, **Chairman Guthrie** adjourned the meeting at 8:51 a.m.

Senator Jim Guthrie
Chair

LeAnn Mohr
Secretary



Idaho Agriculture and the Columbia/Snake River System

Paul Arrington, Idaho Water Users Association
 Will Hart, Idaho Consumer Owned Utilities Association
 Stacey Satterlee, Idaho Grain Producers Association
 Dave Doeringsfeld, Port of Lewiston

1

Coalition for Idaho Water

Formed by **Idaho Grain Producers Association** and the **Idaho Water Users Association** in the 1990s

Members include:

Far West Agribusiness Association	Idaho Onion Growers' Association
Food Northwest	Idaho Recreation Council
Food Producers of Idaho	Idaho Sugarbeet Growers Association
Idaho Alfalfa and Clover Seed Commission	Idaho Wheat Commission
Idaho Association of Counties	J.R. Simplot Company
Idaho Association of Soil Conservation Districts	Nezperce Prairie Grass Growers Association
Idaho Barley Commission	Northwest Farm Credit Council
Idaho Cattle Association	Payette River Water Users Association
Idaho Consumer-Owned Utilities Association	Port of Lewiston
Idaho Dairymen's Association	Potato Growers of Idaho
Idaho Eastern-Oregon Seed Association	Snake River Multi-Use Advocates
Idaho Farm Bureau Federation	Treasure Valley Water Users Association
Idaho Irrigation Pumps Association	United Onions USA
Idaho Mint Growers Association	Water District No. 65 Advisory Board
Idaho Noxious Weed Control Association	Committee of Nine

2

Attachment 1

Why are we having this conversation today?

1. Columbia River System Operations EIS (draft due February 2020)
2. Columbia Basin Partnership (Phase #2 completed June 2020)
3. Governor's Salmon Workgroup (Report due December 2020)
4. Washington Governor's Orca Taskforce (Draft report on LSRD issued December 2019)

3

Discussion Topics

Water
Hydropower
Wheat/Navigation
Economic Impact



4

Water Development Provides Significant Value to Idaho's Economy

	Bonne Project	Minidoka Project	Owyhee Project	Palladasen Project
Crops	\$624,575,000	\$704,104,000	\$155,250,000	\$650,900,000
Livestock	\$645,000,000	\$387,144,000	\$93,150,000	\$355,448,000
Power Generation	\$13,975,000	\$6,339,200	\$0	\$31,413,000
Flood Prevention	\$183,287,500	\$9,961,600	\$755,550	\$20,942,000
Recreation	\$33,002,500	\$28,300,000	\$4,830,000	\$16,640,400
TOTAL	\$1,499,840,000	\$1,135,848,800	\$253,985,550	\$1,075,343,400

Bureau of Reclamation (2017)

5

Many of Idaho's Thriving Ag Industries Rely on Water

- Barley: \$253 million (2019)
- Potatoes: \$1.1 billion (2019)
- Sugarbeets: \$322 million (2019)

(Eborn & Taylor, 2020)

6

Snake River Water Rights Agreement

1990's: Nez Perce Tribe Instream flow claims raised concerns about management of Idaho's waters for ag users



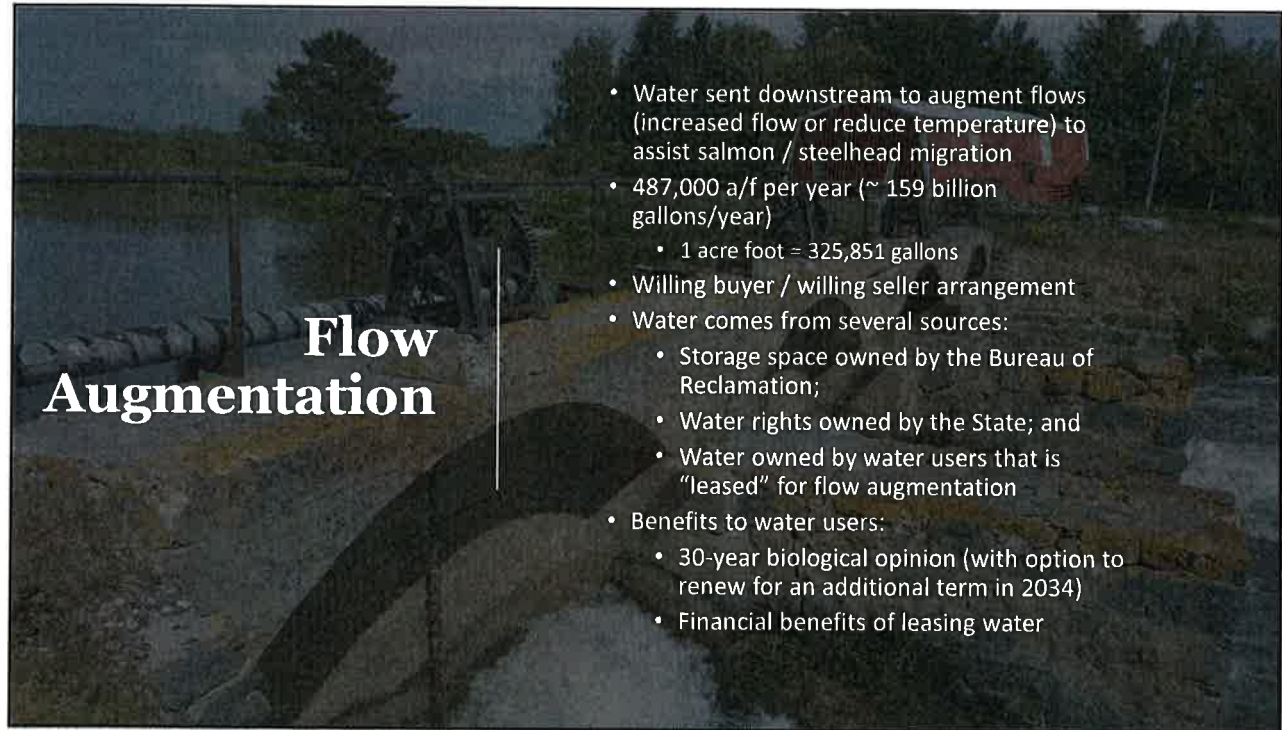
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Snake River Water Rights Agreement

2004: Snake River Water Rights Agreement (aka "Nez Perce Agreement")

- Parties: State of Idaho, Nez Perce Tribe, Water users
- Tribal Component: Quantified water rights, established trust fund for water and fisheries resources
- Salmon/Clearwater Initiative: Provides instream flows and establishes a fund for habitat improvements
- Snake River Component: Established flow augmentation program


8



Flow Augmentation

- Water sent downstream to augment flows (increased flow or reduce temperature) to assist salmon / steelhead migration
- 487,000 a/f per year (~ 159 billion gallons/year)
 - 1 acre foot = 325,851 gallons
- Willing buyer / willing seller arrangement
- Water comes from several sources:
 - Storage space owned by the Bureau of Reclamation;
 - Water rights owned by the State; and
 - Water owned by water users that is "leased" for flow augmentation
- Benefits to water users:
 - 30-year biological opinion (with option to renew for an additional term in 2034)
 - Financial benefits of leasing water

9



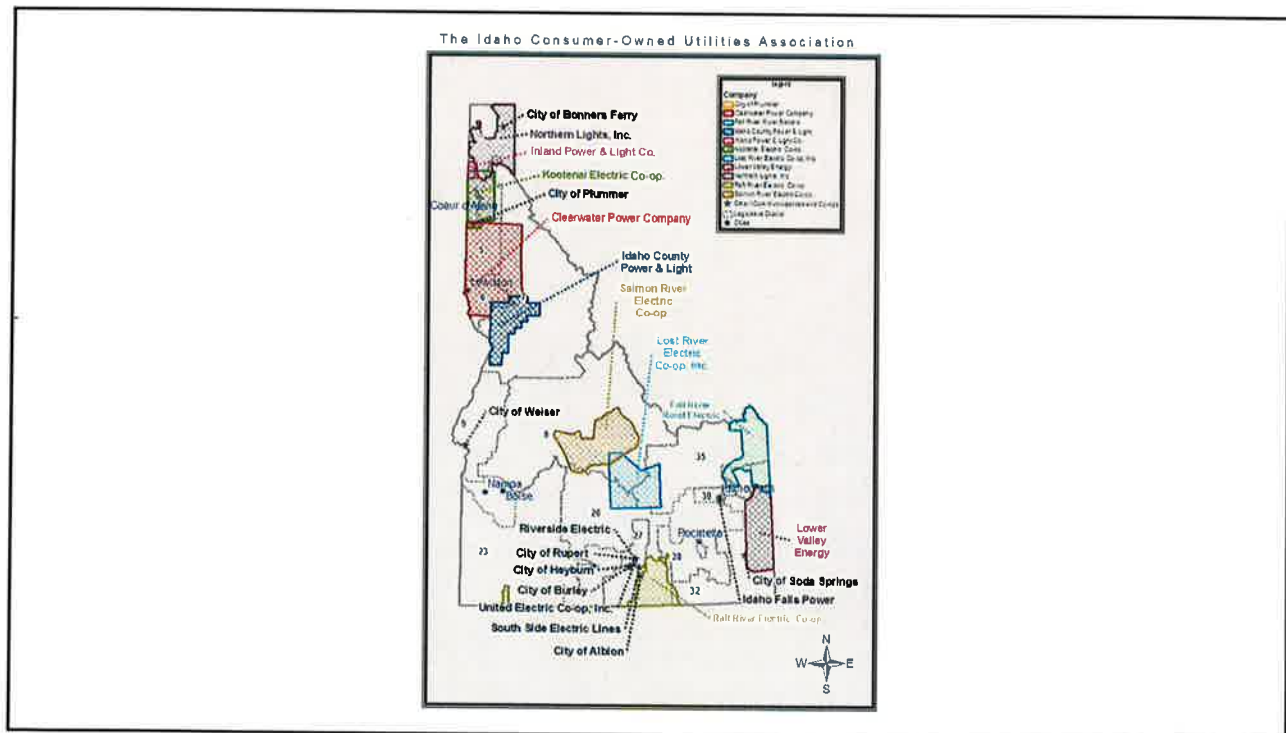
Hydropower Generation

10



- ICUA represents 11 rural electric cooperatives and 11 municipal power companies that provide power to over 137,000 Idahoans across our State.
- Our utilities include; Raft River Electric in Malta, City of Albion, Clearwater Power in Lewiston, Idaho Falls Power, City of Soda Springs, Fall River Electric in Ashton, Idaho County Light & Power in Grangeville, City Of Plummer, Lost River Electric in Mackay, and many others.
- ICUA member utilities deliver electricity to consumers "at cost" and no member operates on a "for profit" basis.
- Our utilities are self-regulated by their elected boards of directors and city councils – not regulated by the Idaho Public Utilities Commission.
- The Bonneville Power Administration supplies over 96% of the wholesale electric power that ICUA member utilities deliver to their customers.

11



12

Value of the System to Public Power Consumers in Idaho and PNW:

- Hydropower is renewable.
- Hydropower is flexible and reliable.
- Hydropower ratepayers support fish and wildlife programs.
- Hydropower is affordable.

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Hydropower is Renewable

- Hydropower is the original renewable resource for the Northwest.
- Northwest hydropower produces no carbon emissions, thereby significantly reducing the total carbon footprint of the region's energy production.
- Hydro's share of the Northwest's carbon-free electricity production – 80%.

14

Hydropower is Flexible and Reliable

- The four lower Snake River dams produce over 1,000 average megawatts (3,000 megawatts nameplate) of reliable, carbon-free energy.
- The dams act as a massive, clean battery for intermittent wind and solar power. These important resources must be complemented by the hydro system that is able to quickly increase generation when the wind wanes or decrease when it blows harder.
- Capacity is becoming increasingly important to the PNW as loads continue to grow. For much of the year BPA relies on the lower four Snake River dams specifically to help meet peak demands for energy.

15

Hydropower Ratepayers Support Fish and Wildlife Programs



- Total cost of BPA Fish & Wildlife actions since inception (1978-2018): nearly \$17 billion.
- For Idaho's public power consumers, up to 20% of their average utility bill goes toward these programs.
- Funds go towards improved fish passage technology, habitat restoration, hatchery programs, predation control, etc.

16

Hydropower is Affordable

- According to the U.S. Energy Information Administration, Idaho specifically and the PNW in general consistently have the lowest power rates in the nation.
- Carbon-free, renewable hydropower is the primary factor keeping our rates so low compared to the rest of the United States.
- Low-cost power is a major contributing factor to Idaho's economic expansion.

17



18

Idaho Wheat Facts

Idaho has one of the most consistent harvests of any wheat-growing area.

Wet springs and warm, dry summers combined with rich volcanic solids create ideal conditions for our high-quality wheat.

Nearly **2/3 of Idaho wheat** is grown under irrigation, allowing for Idaho growers to manage the crop to customers' specifications.

Total Cash receipts in 2019 were roughly **\$500 million**.

2nd Largest Crop

42 of Idaho's counties grow Wheat
44 Custer and Shoshone are the only outliers.



About **1/2 of the 100 million bushels** produced each year in Idaho are exported.

Top recipients are Japan, Mexico, the Philippines, Korea, China and Taiwan.

Idaho is uniquely positioned to access the global marketplace by moving grain through the Columbia-Snake River system to Portland, and then onto foreign customers.

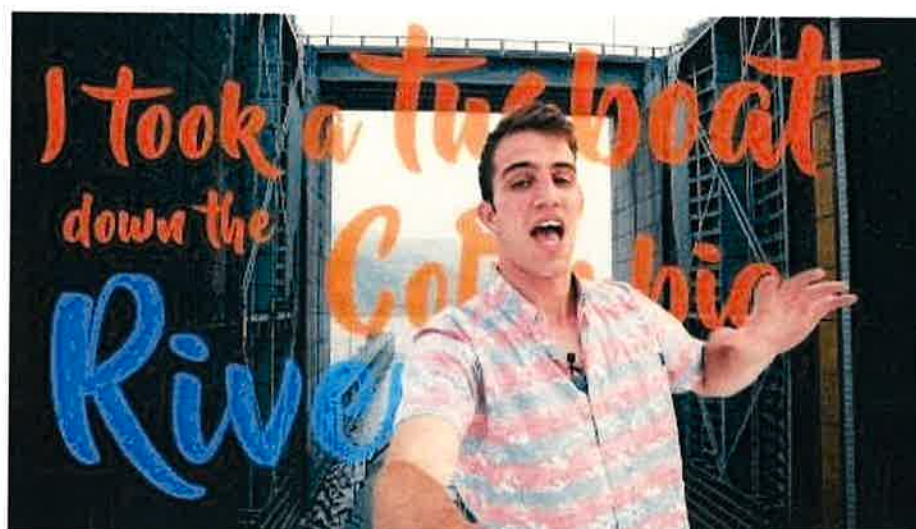
The **other 50 %** of Idaho's wheat crop stays in the U.S. and ends up in popular foods and brands, like *Pepperidge Farms Goldfish crackers, Wheat Chex & Wheaties cereal, Barilla pasta and Mission tortillas.*

In 2019, Idaho was the **highest-yielding state** in the nation. **Idaho ranked 6th** among wheat-producing states at more than **100 million bushels.**

(among states producing at least 5 mil bushels with an average of 87 bushels per acre)

19

Snake River – Columbia River Transport System



<http://www.idahowheat.org/down-the-river>

20

Barging

- Most environmentally-friendly mode of transportation
- Provides Idaho wheat growers cost-effective access to international markets
- Nearly 10% of the nation's total wheat exports move by barge through the four dams on the Snake River

The 4,500 farm families who grow Idaho wheat and barley rely on the river system to get their crop to market.



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*The Snake is more than a river.
It's a lifeline.*

Dams and locks make the Lower Snake River navigable for barges that move Northwest products to port — averaging four million tons each year for the past decade.

For more information visit snake.rivardams.com and nwriverpartners.org.



In the last three years, Idaho growers and the Port of Lewiston have hosted 46 loyal wheat customers from eleven countries, including the Chinese Trade Town pictured. These countries represent 10% of the world's population. Snake River dams allow Idaho farmers to compete globally and feed the world.



Brought to you by Idaho Wheat Commission, Lower Clark Terminal, Inc., Port of Lewiston

22

Port of
Lewiston

Idaho's Seaport

The Most Inland Seaport on the West Coast



23

National Transportation Impacts & Regional Economic Impacts Caused by Breaching Lower Snake River Dams

- Each year, nearly 10% of all U.S. wheat exports move by barge just on the Snake River.
- Total commodities shipped on the Columbia-Snake System have remained fairly constant over the past decade, averaging 3.79 million tons per year (2007-2016).
- Removal of the lower snake river dams will cost the nation \$4 billion over 30 years. This does not include dam removal or power replacement costs.
- Grain shippers indicate that breaching the lower Snake River dams will increase transportation and storage costs by 50% to 100%.

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National Transportation Impacts & Regional Economic Impacts Caused by Breaching Lower Snake River Dams

- Over 1,100 family farms may be at risk of bankruptcy. Average regional net farm cash income of \$42,825 in 2017
- Over \$1 billion in investment needed to address transportation, railroad, grain storage, highways and local infrastructure
- Increases in CO₂ and other harmful emissions by over 1.25 million tons per year. Adding 181,889 cars

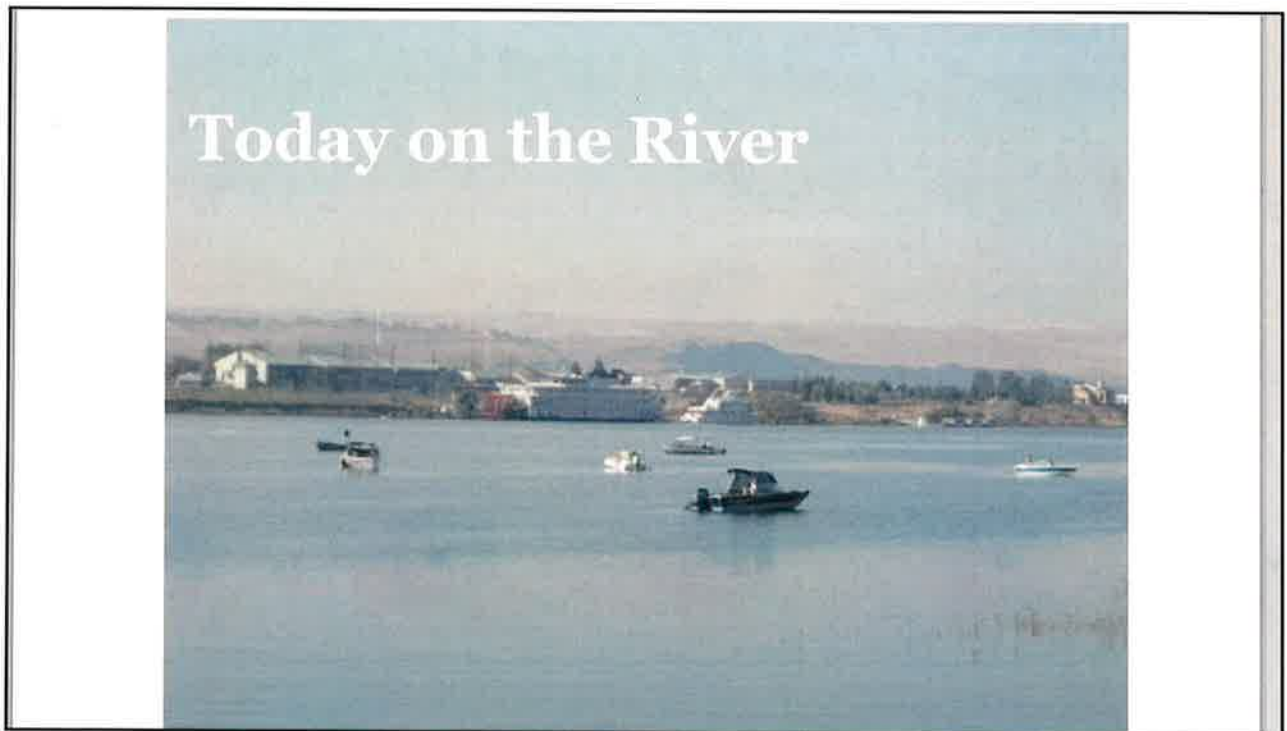
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1992

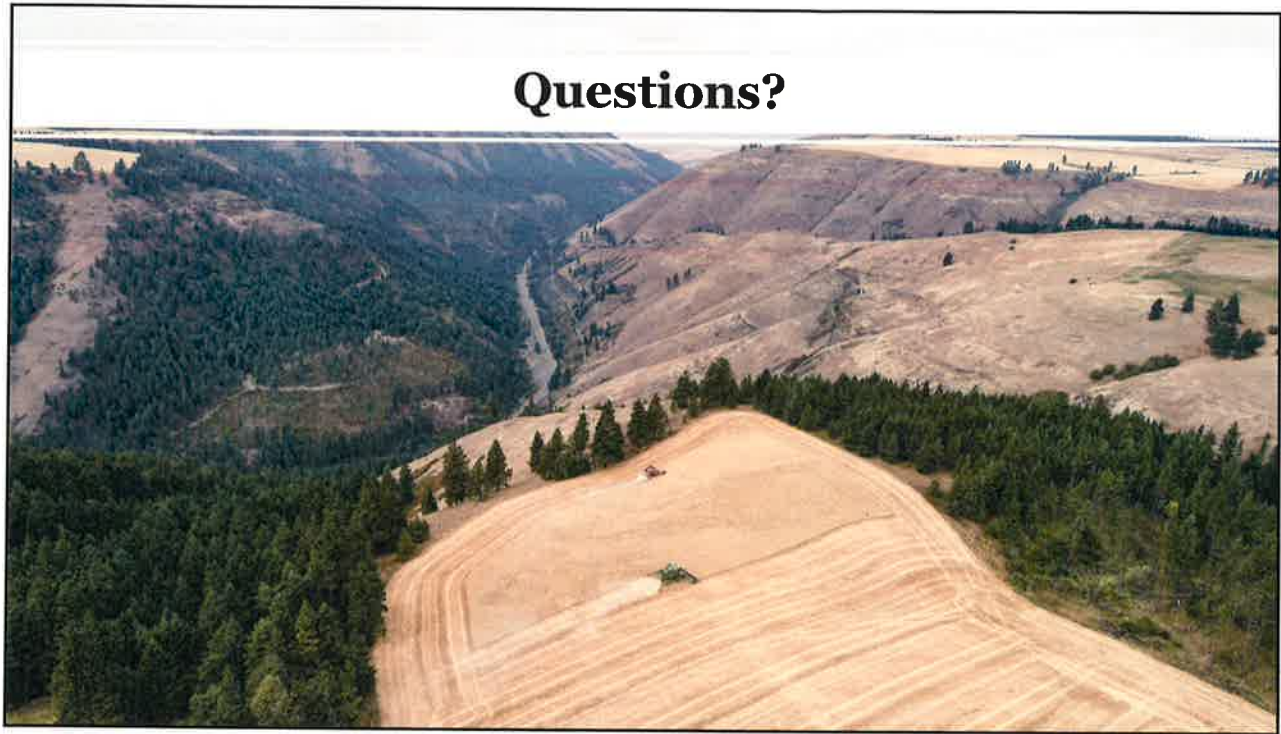
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28



29

January 10, 2020

Summary of Findings

NATIONAL TRANSPORTATION IMPACTS & REGIONAL ECONOMIC IMPACTS CAUSED BY BREACHING LOWER SNAKE RIVER DAMS: SUMMARY OF FINDINGS

Removal of Lower Snake River Dams will cost the nation \$4 billion over 30 years; which equates to a net present value of \$1.9 billion (30-year analysis at standard 7.0% annual discount rate).

Pacific Northwest Waterways Association contracted with FCS GROUP (financial and economic consultants) to provide an independent and conservative evaluation of the transportation/infrastructure impacts that would be caused by Lower Snake River (LSR) dam breaching and closure of four LSR locks. The methodology used in this analysis is consistent with the benefit-cost analysis guidelines prescribed by the U.S. Department of Transportation. Findings are used to define outcomes from local (employment and sales), regional (transportation/freight impact) and national (transportation and infrastructure cost, air quality, safety, tax revenue) perspectives.

The Columbia/Snake River system is the largest wheat export gateway in the U.S. Almost half of the wheat exports arrive by barges moving through the Columbia / Snake River system. In 2017 over 3.5 million metric tons of commodities moved through the lower Snake River locks.

Taking the Snake River barge option away will not only lead to higher rail rates, but will result in substantial negative transportation and air quality impacts. Using guidelines provided by the U.S. Dept. of Transportation, **the removal of four lower Snake River dams would cost the U.S. over \$4 billion over 30 years. This equates to a net present value of \$1.9 billion (30-years at standard 7.0% annual discount rate).**

Removing the Snake River locks would cause diesel fuel consumption to increase by nearly 5 million gallons per year as barges are replaced by less efficient truck-to-rail shipments.

Negative air quality carbon emissions would result—equivalent to the cumulative emissions generated by a Boardman coal-fired power plant every 5-6 years.

This analysis focuses on national and regional impacts and conservatively excludes costs associated with the following:

- Construction cost of dam breaching and related access changes
- Truck and rail costs associated layover times
- Increased river dredging costs
- Rail safety/accident costs
- Replacement of hydropower capacity and transmission facilities
- Water supply and wastewater discharge facility costs to municipal and industrial users
- Irrigation water impacts
- Loss of revenues at the ports of Lewiston and Clarkston

Summary of Findings

- Regional (non- agricultural) economic development dislocation costs.

Farmers, shippers, ports and trade representatives express major concerns

FCS GROUP conducted 14 interviews with regional grain farmers, shippers, port managers, and agricultural trade group representatives, and discussion with state agencies.

In general, **interviewees expressed concerns about the direct impacts LSR dam breaching and lock closure will have on national freight movement and regional impacts to farmers and local communities.** Specific issues were identified regarding the baseline assumptions made by the CRSO EIS Navigation TOM map of the “existing grain elevator and rail network” provided by the EIS project to date, which includes thousands of miles of rail track purported to exist which have been abandoned, and grain elevators that do not have rail loading capabilities.

Grain suppliers/shippers indicate that with **LSR dam breaching the transportation/storage expense will likely increase 50% to 100%.** At the current reported “break even” cost per bushel of \$5.00, the transportation/storage cost is now approximately \$0.40 per bushel of wheat. These costs could increase by up to \$0.80 per bushel with LSR dam breaching.

If farm subsidies are not increased, devastating economic impacts could result as over 1,100 farms may be at risk of bankruptcy given average regional net farm cash income of only \$42,825 in 2017. With wheat prices already near breakeven, farmers are not expected to adjust to lower levels of income. Hence, the federal government would need to increase annual direct payments to farmers by up to \$38.8 million to keep operations at the current level of net cash income.

Highway, rail, grain elevators and local infrastructure network will need over \$1 billion capital investment

Commodities moving through the Columbia/Snake River system currently remain on barges until they reach deep draft export ports. Over 2,623,000 tons of outbound (mostly grain) products and 874,000 tons of inbound shipments were moved through the LSR locks in nine months in 2017. The current distribution of commodities moving out of the 10-county bi-state region to deep draft export ports as follows: 90% barge and 10% rail.

With removal of the LSR locks, the share of goods transported by barge decreases and goods transported by truck and rail increase. **LSR dam breaching is expected to require at least 201 additional unit trains and 23.8 million miles in additional trucking activity annually.**

According to engineering studies and stakeholder input **up to \$1.1 billion in infrastructure investments would need to be constructed in the near-term to address transportation, railroad, grain storage capacity and local infrastructure changes that would result with LSR dam breaching.** No funding for these improvements has been identified; and these improvements would not be required if the LSR locks remain operational.

Increased truck and rail traffic will result in more fatalities and related costs

Increased reliance on truck-to-rail or truck-to-barge terminal shipping is expected to result in an increase of 23.8 million miles of travel per year on county, state and federal highways. **The increased trucking activity will increase fuel costs, highway maintenance costs, terminal facility maintenance cost, driver time, and vehicle maintenance costs by over \$69 million per year.**

Diesel fuel consumption will increase by nearly 5 million gallons per year; thereby reducing our nation’s ability to achieve energy independence.

Summary of Findings

Using accident frequency and injury/fatality probability statistics from the National Highway Traffic Safety Administration (NHTSA), LSR dam breaching will result in about 1 additional traffic fatality every 3 years.

While the increase in unit trains of 1-2 per day enhance the probability of train related incidents and fatalities, the cost of train safety incidents has not been included in this study.

Negative Air quality emissions by dam breaching will create unintended consequences

Shifting commodity flows from barge to truck and rail will result in increases in CO₂ and other harmful emissions by over 1,251,000 tons per year.

This amount of CO₂ increase is equivalent to the environmental impact of:

- **Adding 90,365 standard size homes**
- **Adding 181,889 passenger cars**
- **Removing 6,927 acres through deforestation**
- **The cumulative emissions created by the Boardman coal-fired power plant every 5-6 years**

Environmental justice and regional impacts

The regional market area that would be directly impacted by the LSR breaching alternative is defined as ten counties that are generally within a two-hour drive of the ports of Lewiston and Clarkston, five of which are in Washington, and five in Idaho. These counties are primarily rural agricultural areas that depend heavily upon the LSR locks and barge transportation systems for the movement of wheat, fuel and other bulk products.

- **The 10-county market region population includes 202,852 people.**
- **Nearly 1 in 5 people in the market region are at or below the federal poverty level.**
- **Average wages in the region were \$40,211 or about 25% below the national average in 2017.**
- **The market region includes 1,139 farm operations with nearly 4.6 million acres, according to the U.S. Census of Agriculture, 2017.**
- **Net cash income for farms reporting receipts averaged only \$42,823 in 2017.**

The LSR dam breaching alternative could have a negative regional economic impact on agriculture (if federal direct payments do not increase as described in the prior section) and potential negative impacts on manufacturing, transportation, warehousing and visitation businesses that are physically or functionally related to LSR freight movements and river access.

Fragile regional economies are at-risk with LSR dam removal

At-risk agricultural exports (primarily wheat) shipped from the Snake River to ocean ports accounted for \$472.7 million in sales and supports nearly 4,000 jobs in the 10-county region, and generates over \$29 million in federal tax revenues annually.

Interview feedback indicated that the LSR dam breaching alternative would result in significant reductions to river levels which will have a negative impact on specific business establishments, especially industrial employers and cruise ship operations in the Lewiston/Clarkston area. Concerns range from the inability to ship finished products from manufacturing firms through existing port

Summary of Findings

terminals, to mitigation cost of wastewater outfalls; and new investments in water intakes, filtration and pumping/transmission systems.

Input provided by the Port of Clarkston identifies six specific businesses and cruise ship operations which support 6,811 workers. These businesses generate \$625.7 million in total annual GDP. A subset of GDP includes \$65.5 million in state and local tax payments and \$86.6 million in annual Federal tax payments.

The cruise ship industry is now an important component of the local economy. Over \$3 million in annual GDP spending and 70+ jobs would be lost if LSR dams are breached.

At least three cities (Clarkston, Lewiston and Asotin), regional counties and major industrial businesses (such as Clearwater Paper) have permits for treatment and discharge of wastewater into the river. A share of the economic contribution of these communities could be at-risk with dam breaching, with nearly \$1.5 billion in combined annual GDP. Note, this is a conservative estimate of the regional GDP, since many other communities in Washington and Idaho will also be impacted.

As observed in the 1992 drawdown experiment (see photos) existing wastewater infrastructure is likely to be damaged or rendered useless if the river level drops. The impact of the river drawdown would have impacts on local infrastructure such as roadways, public docks, outfalls, stormwater infrastructure and various public and private capital investments, as well as land values. These costs would have significant fiscal impacts on local and state governments and the nation.

Photographs from 1992 Snake River Drawdown (credit: Port of Lewiston)



For questions regarding this study, please contact Kristin Meira, Executive Director
Pacific Northwest Waterways Association at www.pnwa.net

AGENDA
SENATE AGRICULTURAL AFFAIRS COMMITTEE
8:00 A.M.
Room WW53
Tuesday, February 18, 2020

SUBJECT	DESCRIPTION	PRESENTER
Gubernatorial Appointment:	Wendy Pratt , Blackfoot, Idaho appointed to the State Soil and Water Conservation Commission for a term commencing January 21, 2020 and expiring July 1, 2024.	
Page Introduction:	Luke Amar, Meridian Idaho	
Future Farmers of America	Brief Update	Herman Roberts, State President, Preston FFA
Presentation:	Amalgamated Sugar Update	John McCreedy, President and CEO, Amalgamated Sugar Company

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Guthrie	Sen Lent
Vice Chairman Den Hartog	Sen Bayer
Sen Patrick	Sen Jordan
Sen Harris	Sen Nelson
Sen Mortimer	

COMMITTEE SECRETARY

LeAnn Mohr
Room: WW31
Phone: 332-1330
Email: sagri@senate.idaho.gov

MINUTES
SENATE AGRICULTURAL AFFAIRS COMMITTEE

DATE: Tuesday, February 18, 2020

TIME: 8:00 A.M.

PLACE: Room WW53

MEMBERS PRESENT: Chairman Guthrie, Senators Patrick, Harris, Mortimer, Lent, Bayer, Jordan, and Nelson

ABSENT/ EXCUSED: Vice Chairwoman Den Hartog

NOTE: The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the Committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Guthrie** called the Senate Agricultural Affairs Committee (Committee) to order at 8:01 a.m.

GUBERNATORIAL APPOINTMENT: **Wendy Pratt**, Blackfoot, Idaho, appointed to the State Soil and Water Conservation Commission (Commission) for a term commencing January 21, 2020 and expiring July 1, 2024, explained to the Committee her interest in serving on the Commission. She explained her cattle ranching background and understanding of surface and ground water usages. She said as a rancher she is familiar with range issues and has an interest in the conservation of soil and water, which is a great resource for agriculture, ranching, and recreation. **Ms. Pratt** spoke about the ongoing difficulties along the wind erosion corridor. She said she is eager to serve and would like to work to be a problem solver.

When asked what she hoped to contribute to the Commission, **Ms. Pratt** stated she would like to learn more about soil issues. She said she brings the producers' perspective to the Commission. **Ms. Pratt** spoke about the designated wind corridor area in southeast Idaho. She detailed the causes of soil erosion and some of the tactics that have been used to mediate soil erosion. It is through the work of the Commission that soil and water concerns can be addressed.

PAGE INTRODUCTION: **Luke Amar**, Rocky Mountain High School, Meridian, Idaho. He said he attended the American Legion's Boys' State program and was inspired to apply to the page program. He shared with the Committee his interests and his desire to attend Utah State University.

PRESENTATION: **Herman Roberts**, Preston, Idaho, State President, Future Farmers of America (FFA), introduced the State FFA officers in attendance: Shalani Wilcox, State Vice President, Madison; Cassidey Plum, State Secretary, Meridian; Katie Hettinga, State Treasurer, Kuna; Sydney Plum, State Reporter, Meridian; and Kate Doumit, State Secretary, Troy. He invited Ms. Doumit to the podium for the start of their presentation.

Ms. Doumit said through agricultural education, students are provided the opportunities for leadership development, personal growth, and career success. She detailed the three components that make up the three discipline circles: 1.) classroom and laboratory instruction; 2.) supervised agricultural experiences; and 3.) FFA. She explained how students can attain experience through the variety of programs offered. She spoke about her high school opportunities and how they have influenced her life trajectory.

Mr. Roberts reported that Idaho FFA chapters have experienced membership growth. He explained the role of the state officers and how they have traveled across the state visiting other chapters to help direct the work of Idaho's FFA which works to promote premier leadership, personal growth, and career success. He spoke about the new programs and the state conferences for FFA membership training.

Ms. Wilcox spoke about her leadership opportunities and experiences. She said parliamentary procedures competition has been a highlight in her FFA involvement. She said FFA shares their knowledge of agriculture with those that have not had that experience and teaches students skills that they can apply in future schooling and careers.

PRESENTATION: **Roy Eiguren**, Partner, Eiguren Ellis Public Policy Firm, said his firm represents the Amalgamated Sugar Company (Company) and today they will be updating the Committee about the state of the sugarbeet industry. He introduced John McCreedy, President and CEO, Amalgamated Sugar Company.

Mr. McCreedy detailed the history of the Company, its locations, number of employees, cooperative ownership, board members, and marketing association affiliations. He detailed the Company's goals for future growth which include capital investments, brand refreshing, technology updates, and diversification opportunities.

Mr. McCreedy laid out the legislative priorities, reported the sugar industry's farming and manufacturing presence in the United States, and detailed the overall sugar consumption. He explained the U.S. sugar policy and detailed the pricing fluctuations over a 30-year timeframe. He reported consumer sugar consumption, the nutritional components of a well-balanced diet, and how plant-based sugar is a positive addition to foods (see attachment 1).

Brad Griff, Executive Director, Idaho Sugarbeet Growers Association (Association), introduced the Association board members in the audience. He explained the role of the Association is to work with growers to ensure the efficient, successful, and profitable production of sugarbeets.

Randall Grant, Association President, Hazelton reported the membership make up of the Association and said that Idaho is the second largest producer of sugarbeets. He explained the ability to adjust water content through irrigation helps to improve the quality of the sugarbeet and reported labor difficulties and the effect of the prior year's early frost on the harvest.

ADJOURNED: There being no further business at this time, **Chairman Guthrie** adjourned the meeting at 9:00 a.m.

Senator Jim Guthrie
Chair

LeAnn Mohr
Secretary



Amalgamated Sugar

Real Sugar. Real People. Real Community.

Senate and House Agricultural Affairs Committees

John McCreedy
President & CEO

The Amalgamated Sugar Company LLC
February 18, 2020

About Amalgamated Sugar

- Founded in 1897
- Three sugarbeet processing facilities in Idaho:
 - Twin Falls, Mini-Cassia, Nampa
- Purchased by the Snake River Sugar Company, a grower-owned Cooperative, in 1997
 - ~725 Members/Sugarbeet growers
- Snake River Sugar Company has full ownership and operating control of Amalgamated Sugar
- National Sugar Marketing LLC – a marketing alliance with Sudden Americas Corporation and Southern Minnesota Beet Sugar Cooperative – markets our sugar
 - Amalgamated Sugar produces 12% of domestically produced sugar
 - NSM markets 18% of domestic consumption (2.2 of 12.3 million tons)

Amalgamated Sugar: Looking to the Future

- Significant Capital Investment
 - Approximately \$200 million over the next 5 years
- Maximizing Diversification Opportunities
 - Utilizing the technology developed by our subsidiary company, Amalgamated Research LLC (ARi) to find new potential revenue streams
 - Beta Pura
 - Formed a joint-venture with European sugar company, Agrana, to crystalize a sugarbeet biproduct called betaine
- Brand Refresh
 - Currently working to update the Company's brand/image
 - Real Sugar. Real People. Real Community.
 - Recruiting/Marketing
- Sustainability
 - Committed to the sustainable growth of our businesses while sharing the story of how today's sugar is produced
 - Our grower/owners are innovative with an eye on the long-term future of their farms and factories
 - Support the establishment of an aligned, unifying Framework for Sugar Sustainability

Our Legislative Priorities

A. Transportation

B. Talent

C. Agricultural Research

The map displays the following data points across the United States:

- Sugar Farming States (Gray):** California, Washington, Oregon, Idaho, Montana, Wyoming, Colorado, New Mexico, Texas, Louisiana, Mississippi, Alabama, Georgia, Florida, Michigan, Wisconsin, Illinois, Indiana, Ohio, Pennsylvania, New York, Vermont, New Hampshire, Maine, and Hawaii.
- Sugar Beet Factories (Red):** Located in California, Idaho, Montana, Wyoming, Colorado, New Mexico, Texas, Louisiana, Mississippi, Alabama, Georgia, Florida, Michigan, Wisconsin, Illinois, Indiana, Ohio, Pennsylvania, New York, Vermont, New Hampshire, and Maine.
- Sugar Distribution Centers (Yellow):** Located in California, Washington, Oregon, Idaho, Montana, Wyoming, Colorado, New Mexico, Texas, Louisiana, Mississippi, Alabama, Georgia, Florida, Michigan, Wisconsin, Illinois, Indiana, Ohio, Pennsylvania, New York, Vermont, New Hampshire, and Maine.
- Cane Mills (Green):** Located in Louisiana, Mississippi, Alabama, Georgia, and Florida.

U.S. Sugar Industry Profile		
2019/20		
<i>(Thousand short tons, raw value)</i>		
Beet Sugar Production	4,444	21 beet factories in 9 states ^{1/}
<u>Cane Sugar Production</u>	<u>3,713</u>	<u>16 cane mills in 3 states</u>
Total	8,158	37 facilities in 12 states
Sugar consumption	12,230	
TRQ Imports ^{2/}	1,604	40 WTO quotaholding countries + FTAs
Mexico Imports	1,827	Additional U.S. import needs
Cane Sugar Refineries		9 refineries in 7 states
Jobs generated	142,000	22 states ^{4/}
^{1/} Sugarbeets grown in 11 states.		
^{2/} Tariff-rate quota imports for domestic food use, actual entries. Total minimum access provided: 1.6 mst.		
^{3/} Limited under suspension agreements negotiated between U.S. and Mexican governments in 2014; amended in 2017.		
^{4/} LMC International, <i>"The Economic Importance of the Sugar Industry to the U.S. Economy – Jobs and Revenues,"</i> Oxford, England, August 2011. Revenues generated: \$20 billion per year.		
<i>Data source: USDA, January 2020 WASDE</i>		

U.S. Sugar Policy: How It Works

Sugar policy: Zero-cost, price-support approach

- No government payments; pay back loans with interest – USDA balances supply with demand
- No planting or production limits, but marketing allotments to ensure U.S. producers do not oversupply the U.S. market
 - If a company's production exceeds its allotment, must store excess *at own expense* (and sell next year), or export, or sell for non-food use
- U.S. producers allotted 85% of U.S. demand
 - Remainder to imports (WTO, FTAs, Mexico)

Sweetened-product-manufacturers benefit

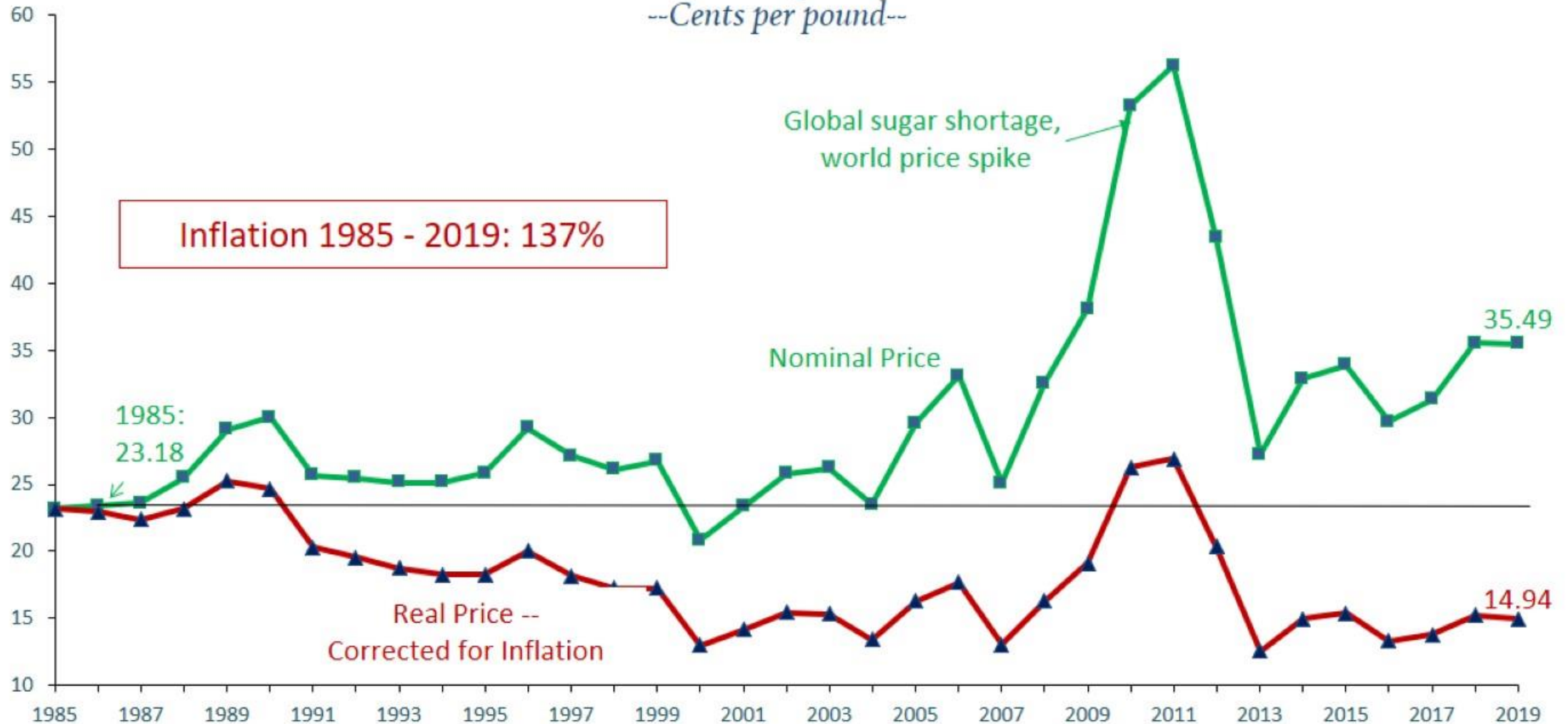
- Doing well – high profits, expanding throughout U.S.
 - The price of sugar has nothing to do with food-manufacturers' economic viability
 - Lower sugar prices = harm to farmers; higher profits to SCP manufacturers; no benefit to consumers – zero passthrough

Consumer benefit

- American retail sugar prices on par with the rest of the world

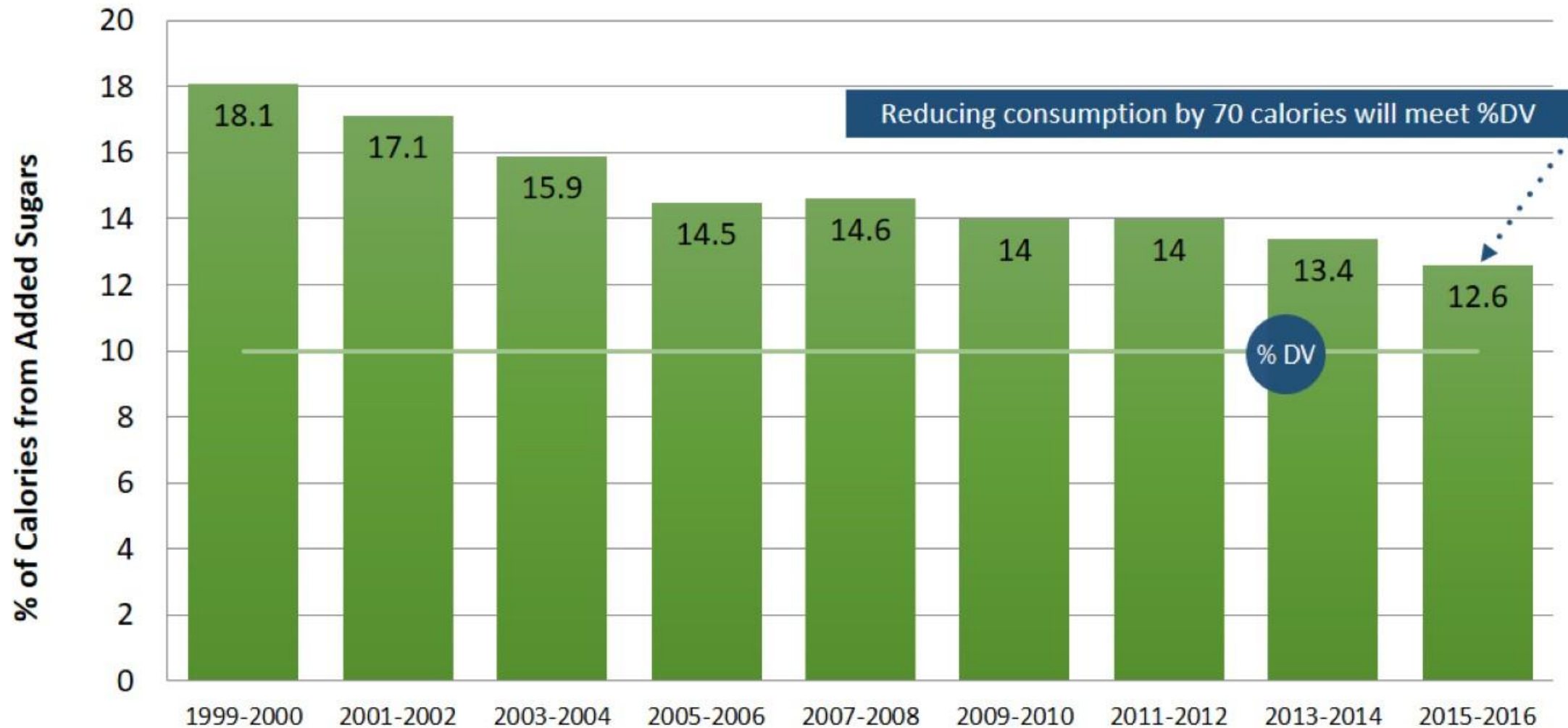
U.S. Wholesale Refined Sugar Prices: Real Price Down by 36% Since 1985

--Cents per pound--



Data sources: BLS -- CPI-U. USDA - wholesale refined beet sugar, Midwest markets; annual averages 1985-2019 (2019 to date).

Trends in Added Sugar Consumption

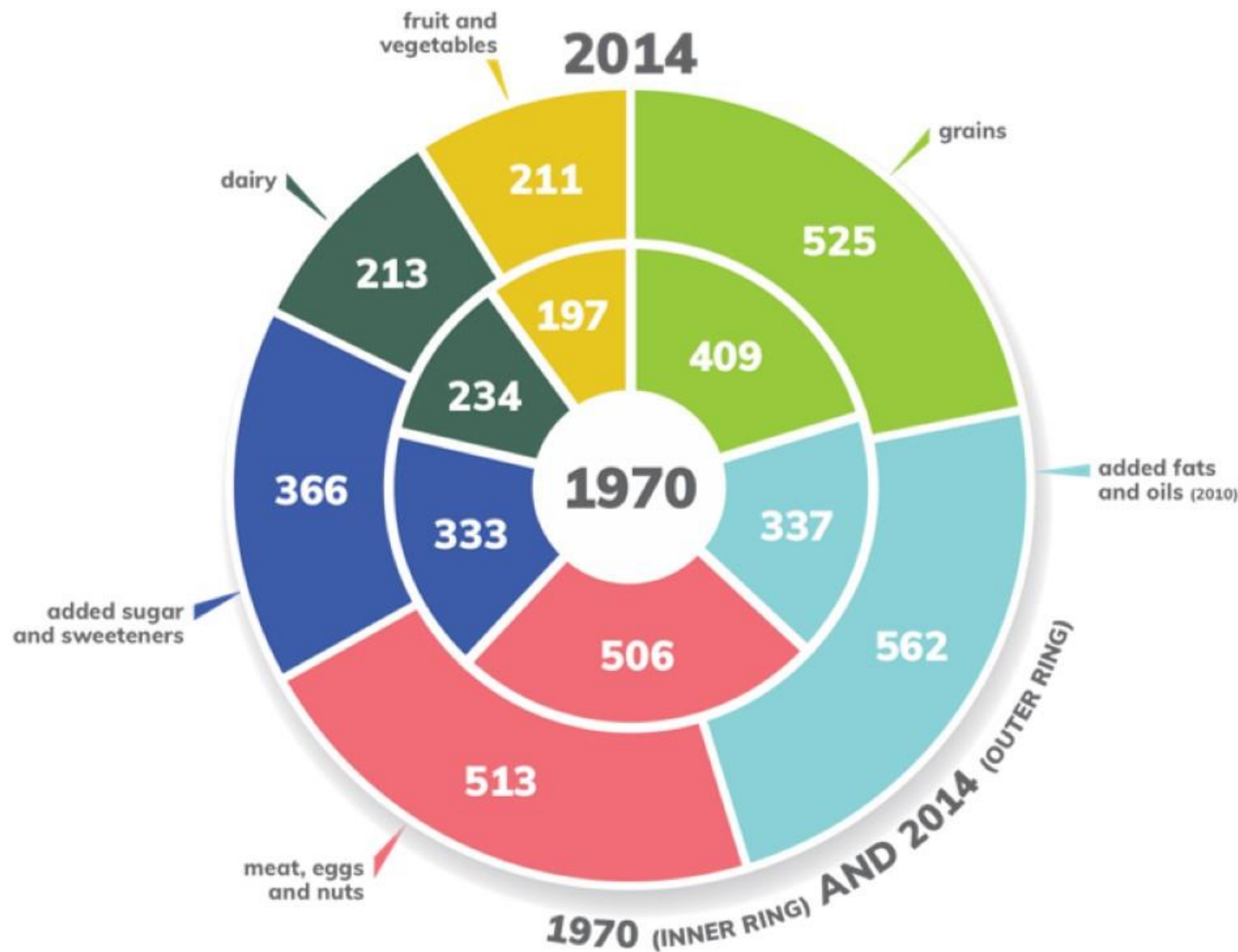


Added Sugars in the Context of the Total Diet

Total Average Daily Calories

1970: 2,016

2014: 2,390



The Real Sugar Message

Overarching message: There's only one sugar: it comes from plants and fits in a balanced diet.

PRIMARY PILLAR

Real sugar (Natural)

Sugar in Balance

There's only one sugar

Descriptor

Real sugar comes from plants grown on a farm.

Consumers want to know how much sugar fits into a balanced diet.

No single ingredient can replace real sugar's flavor and function.
Sugar means sucrose.

Objectives

Consumers know sugar comes from plants.
Consumers recognize sugar is a natural sugar.

Consumers feel confident incorporating sugar as a part of a balanced diet.
Consumers are aware the Dietary Guidelines allow for up to 10% of calories from added sugars.

Consumers prefer sugar to sugar substitutes.
Consumers differentiate sugar from other sweeteners.
Consumers know why sugar is in so many foods for reasons beyond sweetness.
Consumers recognize sugar as a trusted ingredient.

The Ultimate Goal:

Real Sugar is recognized as a positive part of a balanced diet and aids in the enjoyment of a wide range of foods.

AGENDA
SENATE AGRICULTURAL AFFAIRS COMMITTEE
8:00 A.M.
Room WW53
Thursday, February 20, 2020

SUBJECT	DESCRIPTION	PRESENTER
Minutes Approval:	Minutes of January 28, 2020	Senator Jordan
Minutes Approval:	Minutes of February 4, 2020	Senator Mortimer
Gubernatorial Appointment Vote:	Wendy Pratt , Blackfoot, Idaho appointed to the State Soil and Water Conservation Commission for a term commencing January 21, 2020 and expiring July 1, 2024.	Chairman Guthrie
<u>H 356</u>	Relating to Beef Cattle; Nutrient Plans	Senator Harris
<u>S 1345</u>	Relating to Industrial Hemp; Amend and Add New Sections	Senator Lee

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Guthrie
Vice Chairman Den Hartog
Sen Patrick
Sen Harris
Sen Mortimer

Sen Lent
Sen Bayer
Sen Jordan
Sen Nelson

COMMITTEE SECRETARY

LeAnn Mohr
Room: WW31
Phone: 332-1330
Email: sagri@senate.idaho.gov

MINUTES
SENATE AGRICULTURAL AFFAIRS COMMITTEE

DATE: Thursday, February 20, 2020

TIME: 8:00 A.M.

PLACE: Room WW53

MEMBERS PRESENT: Chairman Guthrie, Vice Chairman Den Hartog, Senators Patrick, Harris, Mortimer, Lent, Bayer, Jordan, and Nelson

ABSENT/ EXCUSED: None

NOTE: The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the Committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Guthrie** called the Senate Agricultural Affairs Committee (Committee) to order at 8:00 a.m.

MINUTES APPROVAL: **Senator Jordan** moved to approve the Minutes of January 28, 2020. **Senator Mortimer** seconded the motion. The motion passed by **voice vote**.
Senator Mortimer moved to approve the Minutes of February 4, 2020. **Senator Jordan** seconded the motion. The motion passed by **voice vote**.

GUBERNATORIAL APPOINTMENT VOTE: **Senator Nelson** moved to send the Gubernatorial appointment of Wendy Pratt, to the State Soil and Water Conservation Commission to the floor with the recommendation that she be confirmed by the Senate. **Senator Lent** seconded the motion. The motion passed by **voice vote**.

H 356 **Senator Harris** presented **H 356**; Relating to Beef Cattle; Nutrient Plans. This is to determine the nutrient management plan (NMP) for livestock waste for a cattle or confined animal feeding operation. He detailed the 2005 NPM requirements and reporting options which are submitted to the Idaho State Department of Agriculture (ISDA) for approval and then returned to the feeding operations to be filed and made available anytime to the administrator for review. He said the plans are considered production records and are confidential. He explained the ISDA electronic server and software updates which have made online reporting available and efficient. He said **H 356** allows for the use of ISDA's web-based planner while ensuring that production records are proprietary and remain confidential. The option is voluntary. The language is consistent with other statutes, including Idaho's transparent and ethical government public records act.

DISCUSSION: **Vice Chairwoman Den Hartog** asked if all the NMPs, regardless of the form used for their submittal, are proprietary. **Senator Harris** replied in the affirmative.

MOTION: **Vice Chairwoman Den Hartog** moved to send **H 356** to the floor with a **do pass** recommendation. **Senator Mortimer** seconded the motion. The motion passed by **voice vote**.

S 1345

Senator Lee presented **S 1345**; Relating to Industrial Hemp; Amend and Add New Sections. She said the federal farm bill legalized hemp at the federal level but allowed the states to create their own rules and plans as to how they would grow hemp. She said the proposed legislation adds a new chapter to Idaho Code; the Industrial Hemp Research and Development Act. She said that based on the actions of the federal government, taking an act of Congress, hemp is a different commodity. She emphasized that this bill speaks to an industrial hemp growing program which necessitates a state plan that requires a license to grow hemp.

Senator Lee said the proposed legislation is to place in statute that Idaho intends to legally grow hemp. She reviewed for the Committee the language in the proposed legislation and explained the details which outline the federal requirements for who is included in drafting the state plan: the governor's office, the state's chief law enforcement officer, and the state's department of agriculture. She stated that Idaho's plan will also include hemp growers and producers. She pointed out the time certain date with the expectation that the program be in place by the 2020 or 2021 growing season and that the plan should not be anymore stringent than the federal government's plan. She explained the funding and fee component of the proposed legislation and the emergency clause for resources.

Senator Lee stated that hemp is not marijuana. She addressed the differences as outlined in the proposed legislation. She said while **S 1345** does not accomplish every request from growers and producers, it does set a path forward to making hemp a commodity that can be grown in Idaho. She spoke to the requirements of interstate commerce and the ability of legal commodities to be transported across the state. **Senator Lee** stated that because legislation failed in December 2019, an executive order was made which details how hemp can legally be transported through the state. She explained some of the legal ramifications to transporters under the executive order. She stated that if this legislation is not approved, the state must operate within the confines of the current executive order, which has challenges for the transporters and growers.

Senator Lee walked the Committee through the definitions and the violations written in **S 1345**. She explained the penalties if caught transporting hemp without a license and the reasons that legal hemp could be seized. She said **S 1345** allows hemp to be recognized as something different than marijuana. She said this still preserves law enforcements' ability to have probable cause to test for marijuana and stated that the proposed legislation gives law enforcement guidelines. She discussed the work she did with law enforcement to arrive at the current language.

DISCUSSION:

Senator Jordan asked if the permitting and transporting of hemp, housed in the federal farm bill, is standard state to state. **Senator Lee** replied in the affirmative. She said this legislation has more discretion as it specifies that it is not to be more stringent than the federal farm bill.

In further detail, **Senator Lee** discussed probable cause when a transporter is pulled over by law enforcement. She said with the proposed legislation states that hemp is legal in Idaho under certain circumstances; carriers must have the proper permitting and paperwork.

In response to questions from Senator Harris and Senator Bayer, **Senator Lee** discussed the testing methods and the partnership requirements with the USDA. She said Idaho must have a state hemp plan to be able to grow industrial hemp.

TESTIMONY: **Lindsay Atkinson**, Policy Analyst, Idaho Freedom Foundation (Foundation), spoke in opposition to **S 1345**. She said the Foundation is concerned with the delegation of power when setting the sidebars and referenced the federal farm bill's restrictions. She asked the Committee to hold the bill.

DISCUSSION: **Senator Jordan** asked if the Foundation has an alternative solution. **Ms. Atkinson** replied that an occupational license could be issued and that the legislature could set the criteria for the ISDA to formulate a plan with the USDA. She said the Foundation would like more of a specific separation between marijuana and hemp in the controlled substance act.

In response to Senator Harris's question, **Ms. Atkinson** said the Foundation is not concerned about the specific regulations, but with how the state sets regulations.

TESTIMONY: **Tim Cornie**, organic farmer, 1,000 Springs Mill, Buhl, Idaho, spoke in favor of **S 1345**. He explained his work as an organic farmer, the variety of products they grow and the importance of hemp being a versatile commodity. He reported what he learned from his visit to a hemp farm in Canada and stated Idaho farmers need support without any more delay. He asked the Committee to pass this legislation.

DISCUSSION: **Senator Mortimer** asked if Mr. Cornie knew the return on investment for hemp. **Mr. Cornie** replied this product would help subsidize the lower priced commodities and would be good for the field rotation. He discussed the many uses of the hemp plant.

TESTIMONY: **Braden Jensen**, Deputy Director of Government Affairs, Idaho Farm Bureau (Bureau), spoke in favor of **S 1345**. He reported the Bureau's policy which supports legalizing the production of industrial grade hemp. He said the policy has been in their policy books for over two decades and believes that farmers should have a choice. He asked the Committee to support **S 1345**.

Douglas Jones, grower, Twin Falls, Idaho, spoke in support of **S 1345**. He said this legislation does not include everything to make growing hemp easier, but it is the first step. He asked the Committee to support **S 1345**.

Madison Richards, grower, Oregon, said her family's farm grows about 500 acres of hemp. She explained how they planted the commodity, the cost involved, and the results from the harvest.

DISCUSSION: **Senator Lee** said the legislation is needed to advance legal hemp production and transportation. She expressed her confidence in the growers and producers to make sure this is a workable plan. She said this is also a constituent bill and explained the difficulties of growing hemp across the state line. She said growing this commodity is not for all growers but for those who would like to grow hemp, they should have the ability.

In response to questions, **Senator Lee** clarified that this legislation does not remove hemp from being a schedule one product. She said the proposed legislation states that hemp will be treated differently and that hemp is legal under certain circumstances. The proposed legislation outlines those circumstances. She then discussed the permitting issues and the penalties.

Senator Bayer asked if law enforcement will eventually be removed from overseeing the commodity. **Senator Lee** replied that the federal level platform requires the chief law enforcement officer to participate in formulating the state plan. She said as the state becomes more comfortable with the commodity, the legal scrutiny may be reduced.

MOTION: **Senator Lent** moved to send **S 1345** to the floor with a **do pass** recommendation. **Senator Patrick** seconded the motion.

DISCUSSION: **Chairman Guthrie** reminded the Committee that brand inspectors are part of the Idaho State Police.

Senator Bayer said she has some reservations about the proposed legislation and will not be supporting **S 1345**.

VOICE VOTE: The motion to send **S 1345** to the floor with a **do pass** recommendation passed by **voice vote**. **Senator Bayer** asked to be recorded as voting nay.

ADJOURNED: There being no further business at this time, **Chairman Guthrie** adjourned the meeting at 9:10 a.m.

Senator Jim Guthrie
Chair

LeAnn Mohr
Secretary

AGENDA
SENATE AGRICULTURAL AFFAIRS COMMITTEE
8:00 A.M.
Room WW53
Tuesday, February 25, 2020

SUBJECT	DESCRIPTION	PRESENTER
Minutes		
Approval:	Minutes of February 6, 2020	Senator Lent
	Minutes of February 11, 2020	Vice Chair Den Hartog
Presentation:	Idaho Dairy Products Commission	Karianne Fallow, CEO
Presentation:	Idaho Soil and Water Conservation Commission Annual Update	Teri Murrison, Administrator
<u>SJM 110</u>	Relating to the Columbia-Snake River Water System	Senator Harris

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Guthrie
Vice Chairman Den Hartog
Sen Patrick
Sen Harris
Sen Mortimer

Sen Lent
Sen Bayer
Sen Jordan
Sen Nelson

COMMITTEE SECRETARY

LeAnn Mohr
Room: WW31
Phone: 332-1330
Email: sagri@senate.idaho.gov

MINUTES
SENATE AGRICULTURAL AFFAIRS COMMITTEE

DATE: Tuesday, February 25, 2020

TIME: 8:00 A.M.

PLACE: Room WW53

MEMBERS PRESENT: Chairman Guthrie, Vice Chairman Den Hartog, Senators Patrick, Harris, Mortimer, Lent, Bayer, Jordan, and Nelson

ABSENT/ EXCUSED: None

NOTE: The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the Committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Guthrie** called the Senate Agricultural Affairs Committee (Committee) to order at 8:01 a.m.

MINUTES APPROVAL: **Senator Lent** moved to approve the Minutes of February 6, 2020. **Vice Chairwoman Den Hartog** seconded the motion. The motion passed by **voice vote**.

Vice Chairwoman Den Hartog moved to approve the Minutes of February 11, 2020. **Senator Jordan** seconded the motion. The motion passed by **voice vote**.

PRESENTATION: **Karianne Fallow**, CEO, Idaho Dairy Products Commission, presented Dairy Checkoff (Checkoff): A Brief History and Operational Overview, Impact for Farmers. She detailed the Dairy West (DW) program and relayed the mission, vision, and values of the organization. She spoke about the program, Checkoff, and detailed the role Checkoff has with dairy farmers. **Ms. Fallow** reviewed the promotional history of dairy, nutritional benefits, consumption figures, the impact dairy has on the economy, and showed a video which highlighted those points. She concluded her presentation by reviewing the five points of DW's strategic plan (see attachment 1).

DISCUSSION: In response to Committee questions, **Ms. Fallow** explained fluid milk's competition with other "on the go" drink products and spoke about the competitive new milk products and packaging that are being developed. She said they work with other agriculture groups to go into schools and teach about the agricultural industry.

PRESENTATION: **Teri Murrison**, Administrator, Idaho Soil and Water Conservation Commission (Commission), presented the Commission's annual update. She explained the role the Commission has in promoting conservation efforts in the state. She detailed the administrative overview, the funding revenues and expenditures, and the core objectives of the Commission. **Ms. Murrison** reported the information about the Conservation Reserve Enhancement Program, the Ground Water Quality Program, Resource Conservation and Range Development Program, and the implementation plans as outlined by the Department of Environmental Quality. She spoke about the outreach efforts which included the use of social media and reported the work of the Conservation the Idaho Way Project Tracker. She concluded her presentation stating the Commission helps connect agricultural stewardship for conservation districts, conservation partners, and private landowners for environmentally-sound agriculture practices (see attachment 2)

DISCUSSION: In response to Senator Jordan's question, **Ms. Murrison** replied that she did not know if the responsibilities of the Carbon Sequestration Advisory Committee and the Snake River Improvements Commission, which were eliminated by **S 1246**, have been absorbed by the Commission, and would follow-up with the Senator.

Senator Lent stated he would help work to find the answers for Senator Jordan.

In response to Senator Harris' question, **Ms. Murrison** replied that the Conservation Reserve Enhancement Program (Program) has been influenced by some external conditions and is currently steady. She explained that the Program members are trying make it more attractive for landowners to participate, but when commodity prices are up, the Program is no longer attractive.

Chairman Guthrie reminded Ms. Murrison that the annual report includes all the good and all the bad. He addressed the issue that there is one district with some legal problems. He asked that it get resolved in a timely manner and reminded her that the people who serve, serve as volunteers.

SJM 110 **Senator Harris** presented **SJM 110**; Relating to the Columbia-Snake River Water System. He said the purpose of the memorial is to emphasize the importance of the Port of Lewiston and the Columbia-Snake River (River) water system to the economy and livelihood of Idaho citizens. He explained Idaho's agricultural rankings in the West and the importance of the River to Idaho wheat farmers. **Senator Harris** detailed barge transportation and compared the load amounts to rail and semi-truck transportation. He spoke about the dams' benefit of clean, renewable, and flexible energy. He concluded by relaying the story of a tugboat owner and how the River impacts most citizens.

Chairman Guthrie stated that memorials are not required to have a public hearing however Senator Harris pulled it back to the Committee to give the public an opportunity to testify to **SJM 110**.

TESTIMONY: **Brett Slaughter**, Intern, Idaho Grain Producers, spoke in support of **SJM 110**. He explained the impact wheat has on Idaho's economy and the importance of the River to get the wheat to the consumer.

Will Hart, Executive Director, Consumer Utilities Commission (Commission), spoke in favor of **SJM 110**. He explained the merits of the dams and explained how the proposed memorial addresses the interests of the Commission.

Jonathan Oppenheimer, External Relations Director, Idaho Conservation League, spoke in opposition to **SJM 110**. He spoke about the ongoing concerns regarding increased power rates to consumers, declining salmon populations, aging dam structures, and transportation. He said regional leaders are writing their governors to encourage them to start new dialogue about the dams. He said the memorial is more about the history of the dams rather than the future of the rivers.

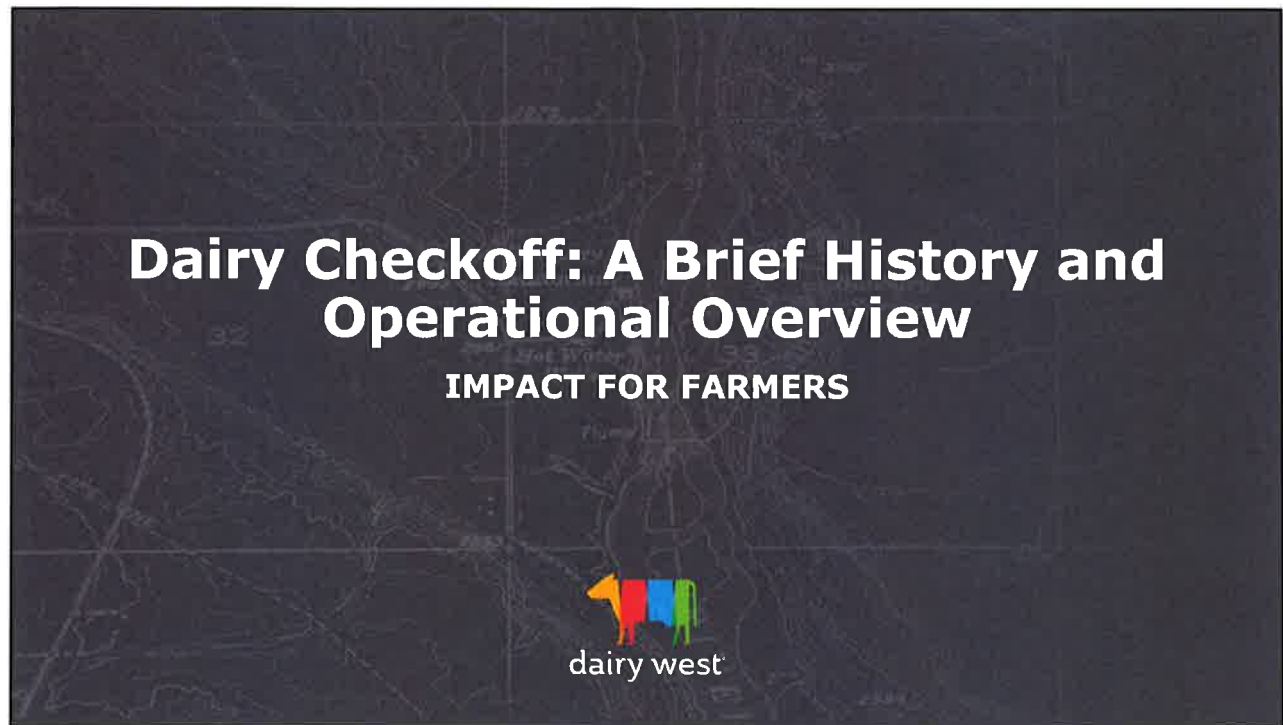
DISCUSSION: **Senator Harris** said the purpose of the memorial is for the people that the River affects. The language in the memorial asks for sound science for the future of the River.

MOTION: **Senator Mortimer** moved to send **SJM 110** to the floor with a **do pass** recommendation. **Senator Patrick** seconded the motion.

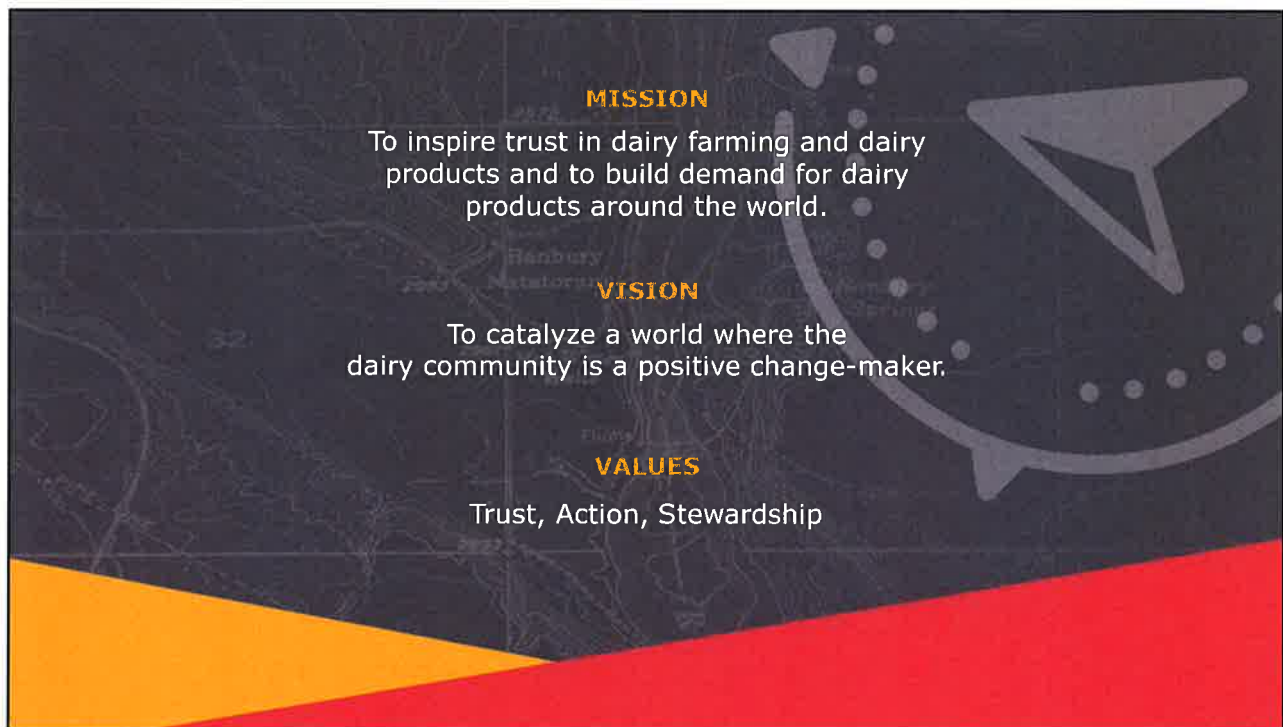
- DISCUSSION:** **Senator Jordan** thanked Senator Harris for bringing **SJM 110** back to Committee for testimony because of the importance of the issue. She said her concern is that this memorial asks the Legislature to take a position opposing the removal or breaching of any dams on the River prior to the results from a workgroup that has been analyzing dams' impact to the River. She said this is too strong of a policy position to be in a resolution.
- VOICE VOTE:** The motion to send **SJM 110** to the floor with a **do pass** recommendation passed by **voice vote**. **Senator Jordan** asked to be recorded as voting nay.
- ADJOURNED:** There being no further business at this time, **Chairman Guthrie** adjourned the meeting at 8:55 a.m.

Senator Jim Guthrie
Chair

LeAnn Mohr
Secretary

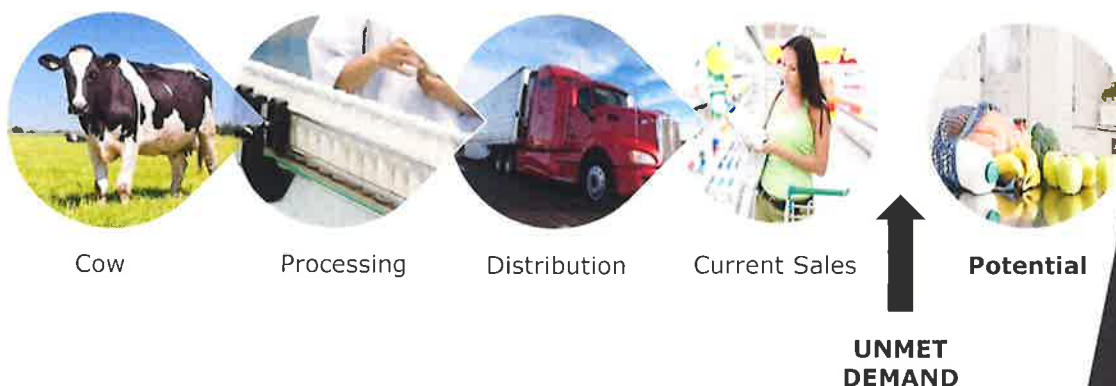


1



2

Role of Dairy Checkoff



3

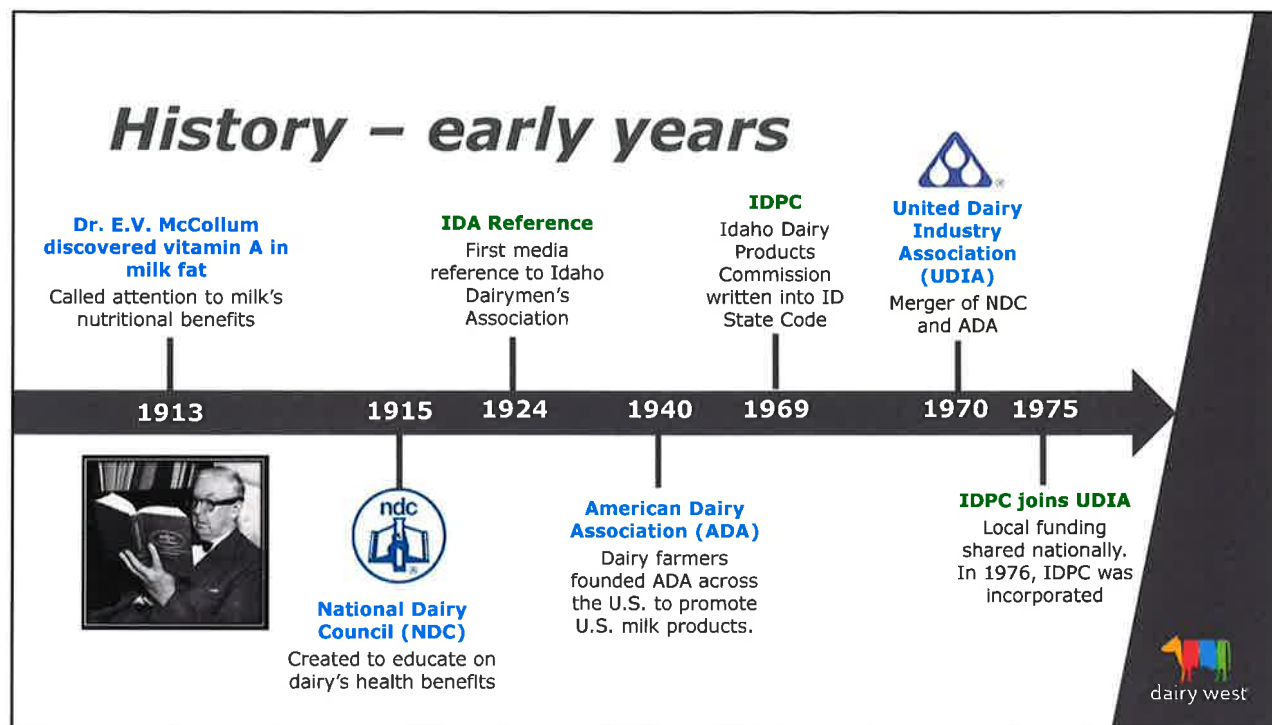
Dairy Checkoff is **Not**

- ⊗ A policy, regulatory or legislative organization
- ⊗ A lobbying group
- ⊗ Accountable for milk prices



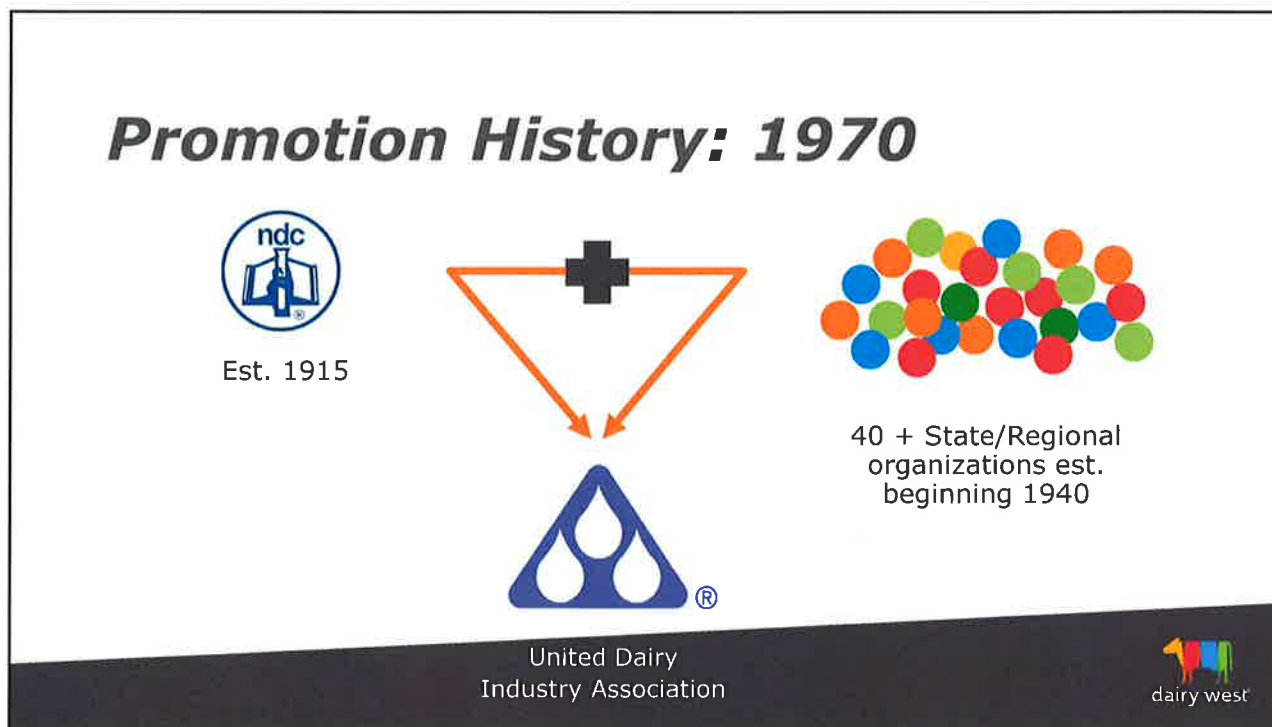
4

History – early years

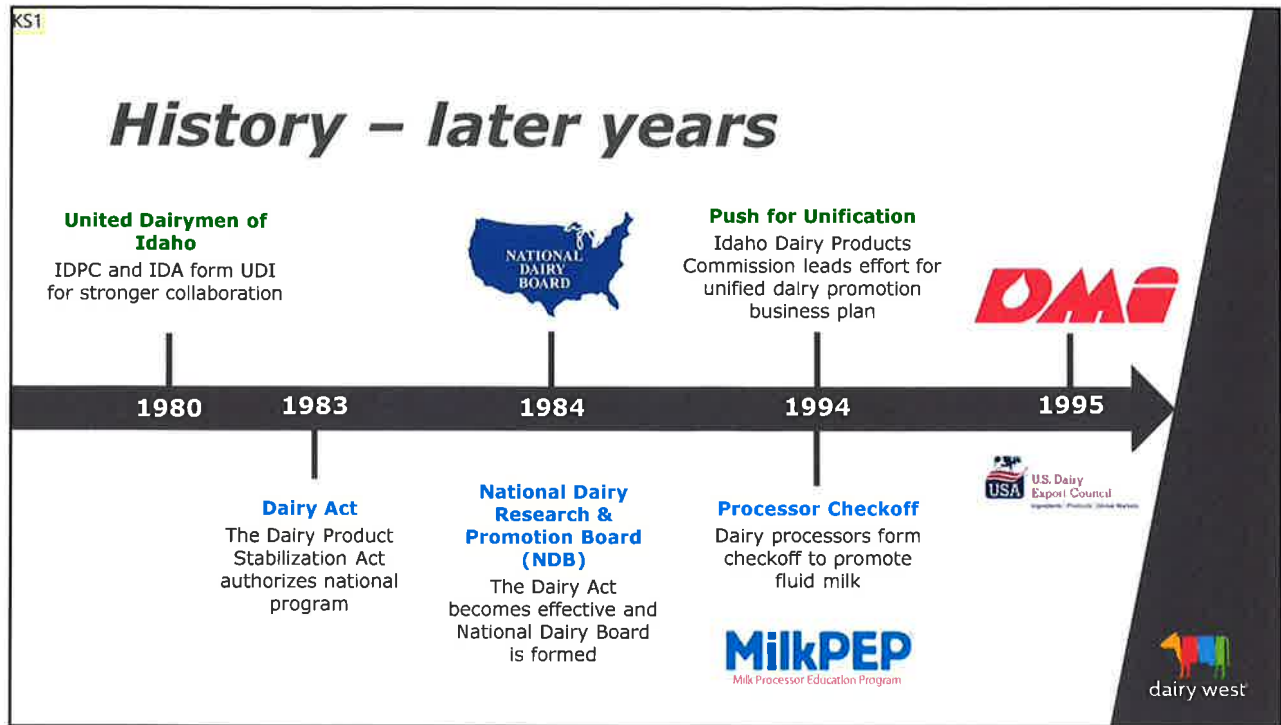


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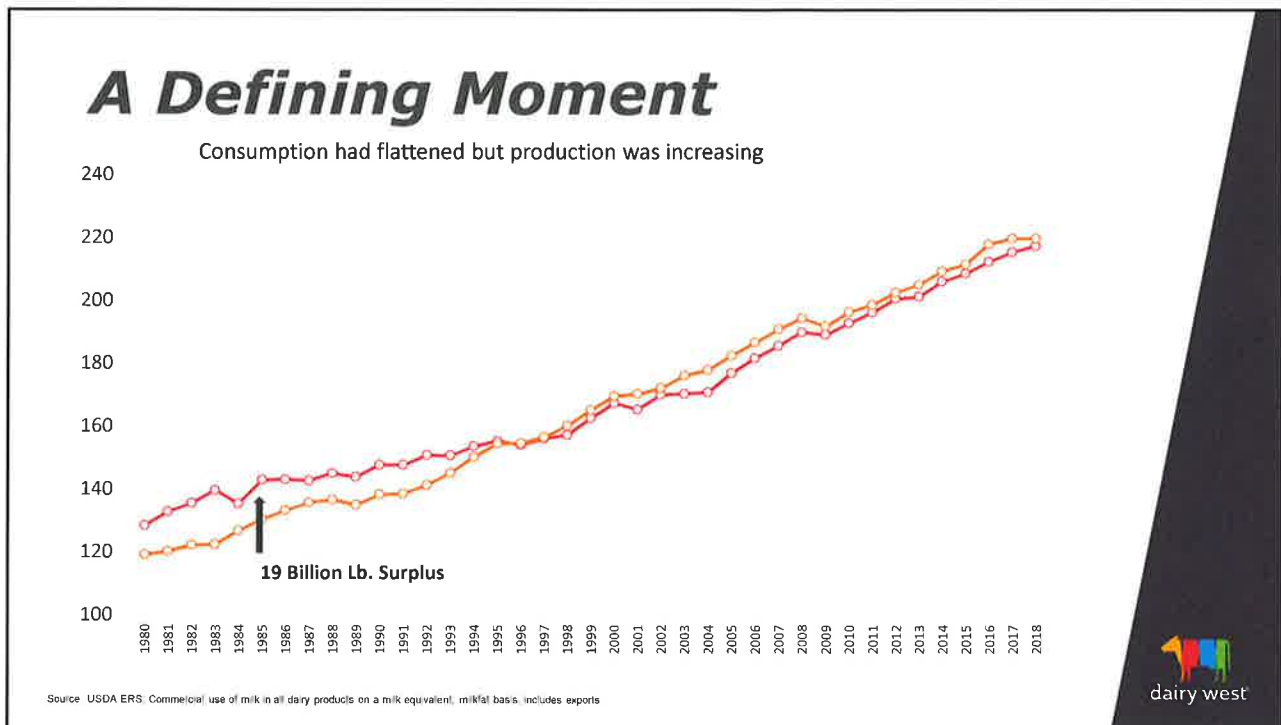
Promotion History: 1970



6



7



8

Slide 7

KS1 We could animate this slide if you would like? After the first bullet, we could go to the next slide, show the chart and then come back to this and continue animating...

Kristi Spence, 2/17/2020

Promotion History - 1995



9

History – continued evolution

Innovation Center
The Innovation Center for US Dairy is created by DMI to bring the supply chain together

2008



GENYOUTH
EXERCISE YOUR INFLUENCE™

2012

GenYOUTH

Improves nutrition and physical activity for youth through public/private partnerships



Dairy West Formed
Dairy West is created and IDPC becomes its first member

2016

Newtrient

Newtrient is formed to drive positive change in the use and management of dairy manure



2018

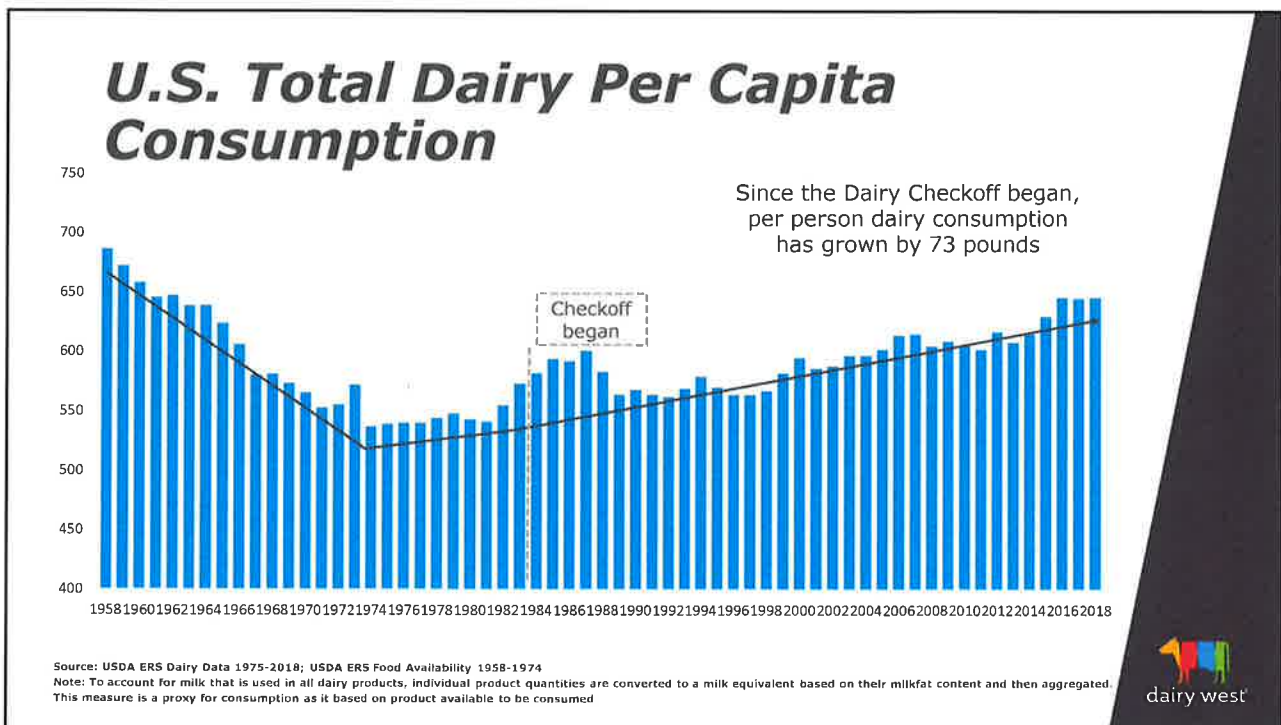
Utah Dairy Commission joins Dairy West



10



11



12



13



14

Slide 14

KS2 If you like the way this is displayed, you can delete the next slide. I took out "other people's money" and replaced with "external investment" I also didn't add the FUTP60 attribute and I kept off the 1 voice. For this audience, I didn't think it was necessary.

Kristi Spence, 2/17/2020

Youth Wellness - 2019

Fuel Up to Play 60

Grant funding to activate healthy eating and physical activity initiatives.



63 Schools

Received funds



\$215,682

Total awarded grant funds

School Nutrition

Grant funding to increase access to and consumption of healthy foods.



76 Schools

Received funding



\$171,160.98

Total awarded grant funds

Farm to School

Connecting students to where their food comes from through virtual farm tours.



40 Schools



134 Classrooms

held a virtual tour



3454 Students

reached



15

Health Professionals



Continuing Education Events



1,244 Health Professionals



414 Physicians



520 Dietitians

POPULAR TOPICS

Sustainable Food Systems
Sports Nutrition Symposium
Eating Patterns for Diabetes
Prioritizing Taste & Health
Pediatric Nutrition
Heart Disease
Gut Health
Added Sugars Friend or Foe
Fad Diets to Intuitive Eating

FARM TOURS



6

Universities



138

HP Students



150

Physician Assistants



Experience

On a 5 star scale, all education events recieved a 4.5 or higher



54% had not been on a farm before

92% reported their feelings toward dairy farming were more positive after tour

38% were more likely to consume more dairy based on tour experience

16

Trust Building

- **Hunger Initiatives**
- **Farm Tours**
- **Industry Leadership**
- **Retail Activations**



17

Workforce Development

BUILD DAIRY:



INNOVATION:

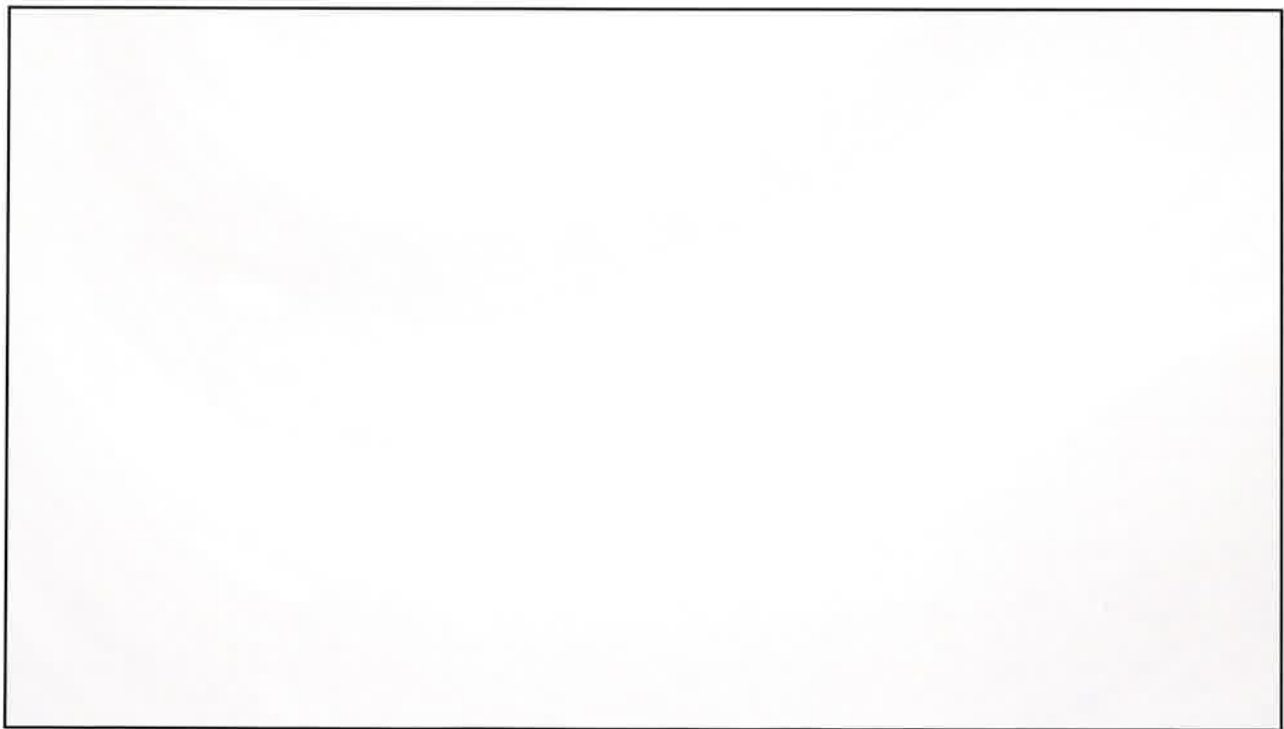
- Western Dairy Center Directorship
- 9 regional Universities
- 70 students
- 30 faculty
- 13 processors
- New markets for milk, dairy products & other ingredients
- Creative B2B & B2C thinking



18



19



20

Strategic Objectives

- Develop Dairy Advocates
- Partnerships for the Impact
- Financial Stewardship
- Brand Leadership
- Employer of Choice



21

The Future

- YOUR QUESTIONS UNBOTTLED
- SUSTAINABLE NUTRITION
- YOUTH WELLNESS
- SCHOOL NUTRITION
- PRODUCT INNOVATION
- RETAIL FOODSERVICE
- EXPORTS



unbottled.

22

Conservation the Idaho Way

ISSUE SEVENTY-SEVEN

IDaho SOIL & WATER CONSERVATION COMMISSION

NOVEMBER 2019



Commission water quality resource conservationist Jon Beals is shown with the basin's capture of large amounts of silt and sediment in summer 2019.

Big sediment-control project in Canyon County achieves big results
Part 2 of a series focusing on water quality in the Boise River watershed. It follows a story last month about Christopher Swain swimming the length of the Boise River to raise awareness about water quality issues in the watershed.

By Steve Stuebner

Jon Beals, water quality conservationist for the Idaho Soil and Water Conservation Commission, provided a tour last week of a new, 9-acre sediment catch-basin directly adjacent to the Farmers' Co-Operative Ditch Company canal near Parma.

Walking next to the sediment basin, Beals pointed out a tall pile of sediment and silt that had accumulated in the first year of operations. "That's a lot of dirt!"

Indeed, it was. Irrigation season is winding down, and Farmers' Co-Operative Ditch Company officials have yet

to remove the silt and sediment from the elaborate catch basin, so they don't know how much was captured. It's designed to take up to 2,000 tons of sediment per year.

"It's doing what it's supposed to do," Beals said.

SENATE AGRICULTURAL AFFAIRS COMMITTEE

Annual Report & FY 2019 PERFORMANCE REPORT

Idaho Soil & Water
Conservation
Commission

Conservation the Idaho Way: Sowing the Seeds of Stewardship



Idaho
SOIL & WATER
CONSERVATION COMMISSION

Senate Ag Affairs
February 2020

established
1939

Conservation the Idaho Way: Saving the Seeds of Stewardship



CONSERVATION COMMISSION

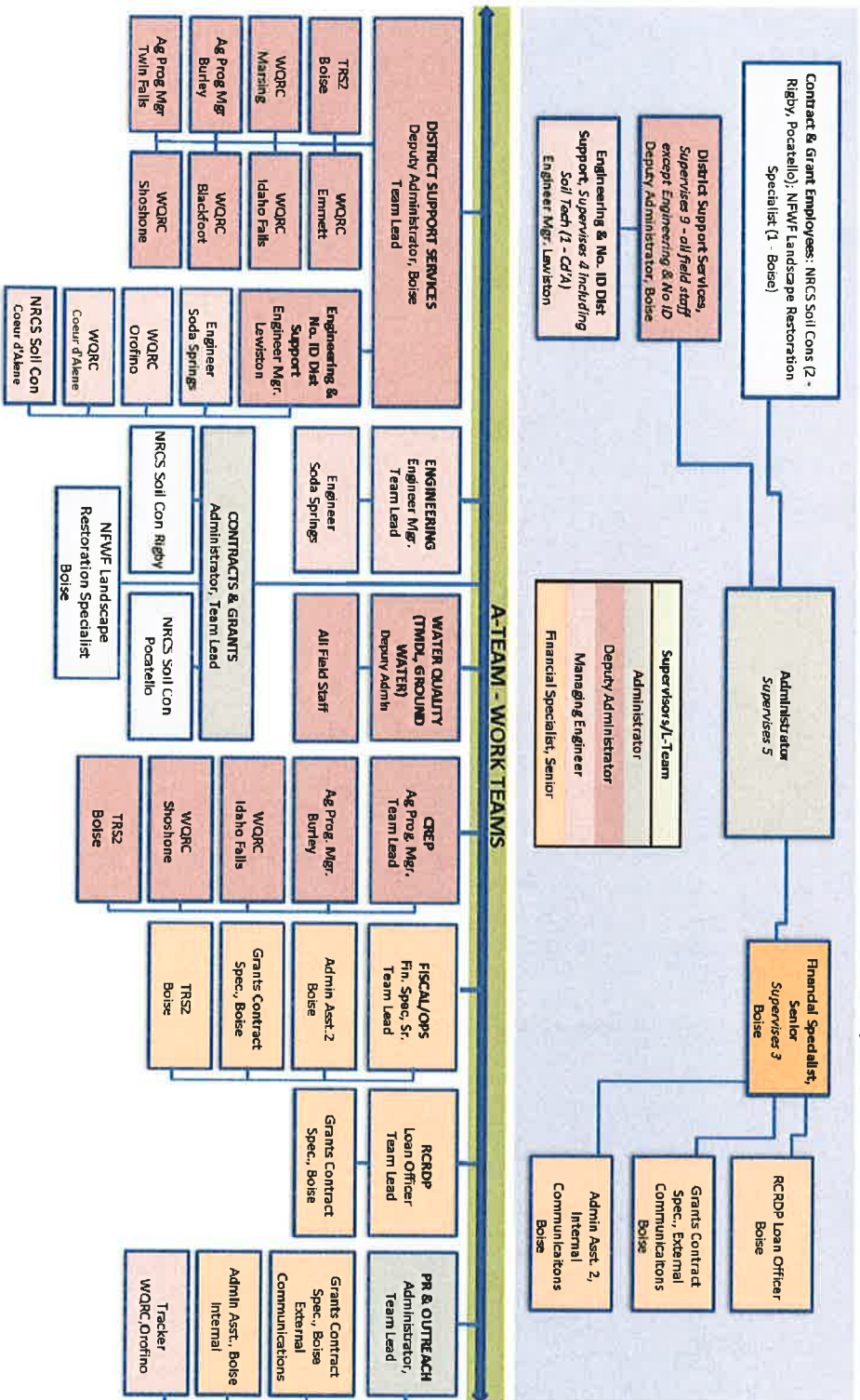
Senate Ag Affairs
February 2020

established
1939

Conservation the Idaho Way: Saving the Seeds of Stewardship



IDAHO SOIL & WATER CONSERVATION COMMISSION ORGANIZATIONAL CHART -- JULY 8, 2019



OUR CORE FUNCTIONS

- CONSERVATION DISTRICT TECHNICAL & FINANCIAL SUPPORT
- INCENTIVE-BASED CONSERVATION PROGRAMS AND SERVICES
- EDUCATION & OUTREACH TO PARTNERS, DECISION MAKERS, AND THE PUBLIC

Conservation the Idaho Way: Sowing the Seeds of Stewardship



IDAHO
CONSERVATION COMMISSION

REVENUES

	FY 2016	FY 2017	FY 2018	FY 2019
General Fund	\$2,590,700	\$2,730,900	2,759,200	2,659,200
Receipts	29,600	300	33,400	11,100
RCRDP Loan Program	960,800	910,800	889,100	722,600
SRF Loan Program	99,300	86,300	92,300	92,300
Federal Grant Funds	<u>0</u>	<u>0</u>	<u>170,900</u>	<u>201,800</u>
Total	\$3,680,400	\$3,728,300	3,944,900	3,687,000

EXPENDITURES

	FY 2016	FY 2017	FY 2018	FY 2019
Personnel Costs	\$1,239,400	\$1,331,000	1,368,500	1,620,127
Operating Expenditures	272,100*	290,500	329,800	341,802
Capital Outlay	80,100	74,100	111,200	3,425
Trustee/Benefit Payments	1,253,200	1,353,200	1,253,200	1,253,200
RCRDP Loan Disbursements	415,200	604,200	939,100	305,800
DEQ Loan	<u>86,700</u>	<u>\$73,700</u>	79,700	104,700
Federal Grant Funds			<u>136,600</u>	<u>270,000</u>
Total	\$3,346,700*	\$3,726,700	\$4,218,100	3,899,054

Conservation the Idaho Way: Saving the Seeds of Stewardship



RULE CHANGES

2 Agency Rules (removed 2)	As of July 1, 2019
1 Agency Rule (combined 2)	As of 1/1/2020
Number of Words Removed	4,662
Number of Restrictions Removed	79

Conservation the Idaho Way: Sowing the Seeds of Stewardship



FY 2019 STATE GENERAL FUND DISTRICT SUPPORT

\$ 1.25 million from Trustee & Benefits Fund

Each district receives:

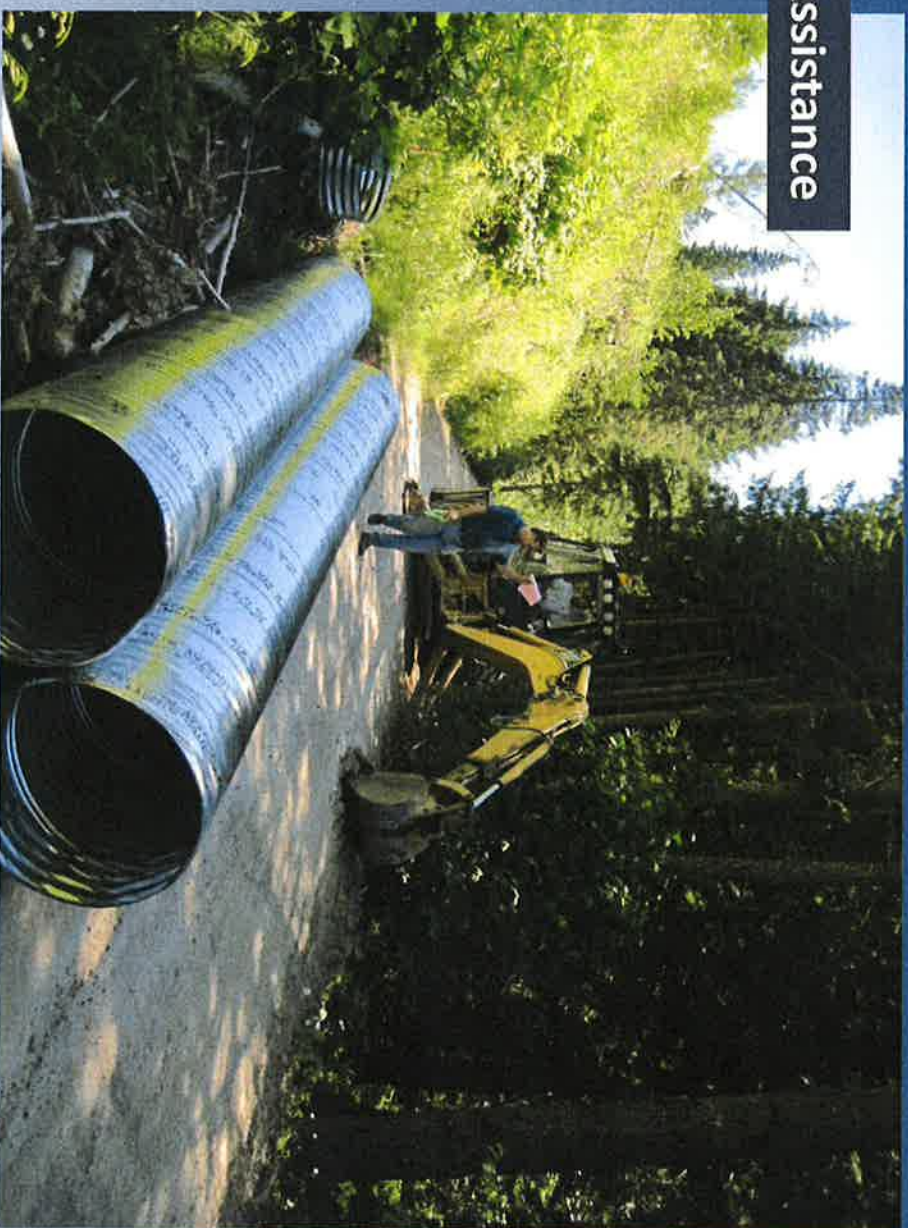
- \$11,300 base & operating, capacity building funding
- Local matching funds - ~\$25,000 AVE (mean) per District (\$11,187 - after 1% rescission - lowest allocation and 2 Districts capped @ \$50,000)
- \$10,000 distributed equally among 6 regions for outreach/ed
- No project funding

Conservation the Idaho Way: Saving the Seeds of Stewardship



FY 2019 State Technical Assistance

- 7,654/6,061 hrs. requested/awarded
- Assisted 40 districts with projects (29 new, 64 ongoing)
- 536 landowners served

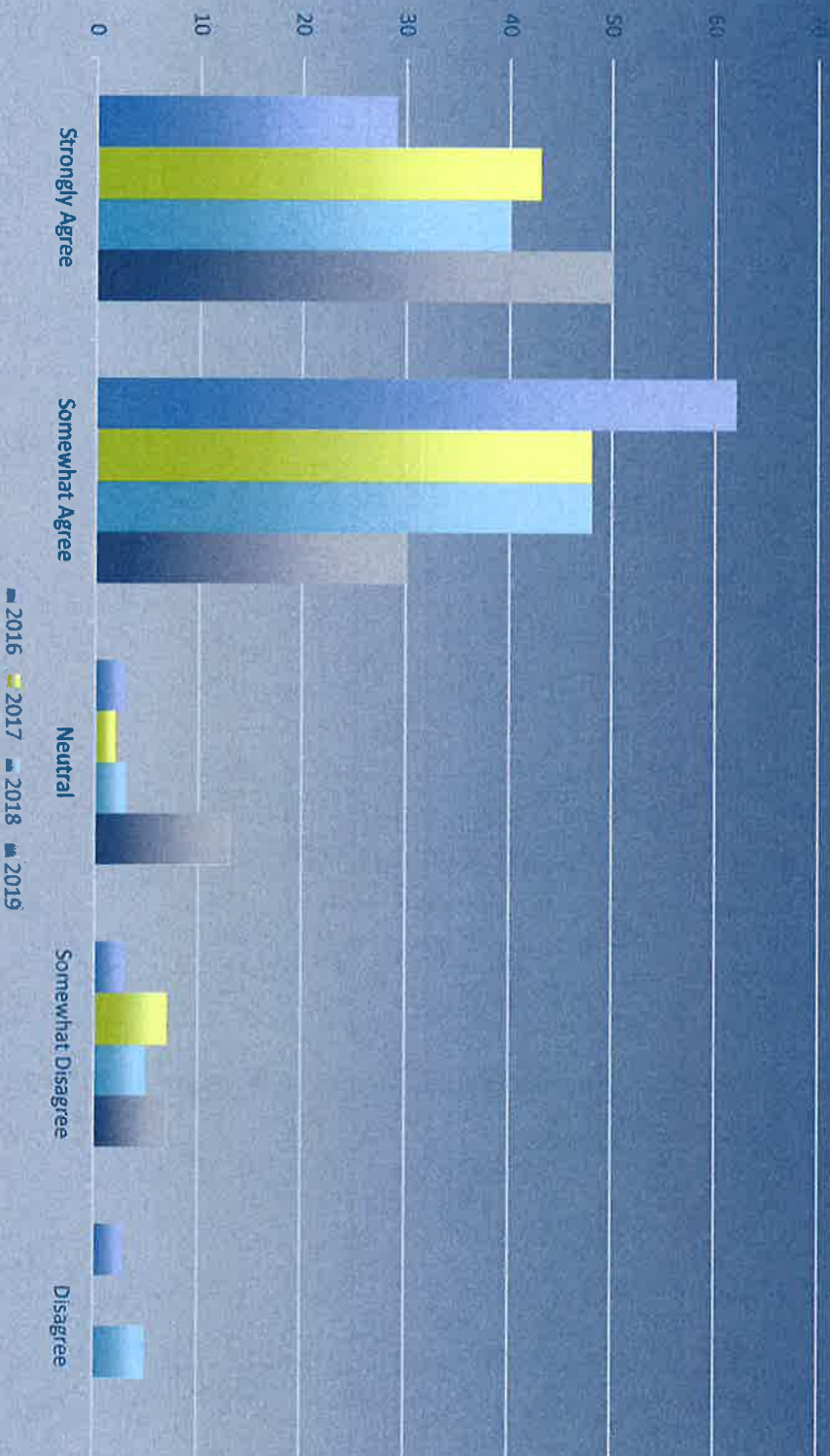


Conservation the Idaho Way: Sowing the Seeds of Stewardship



DISTRICT SATISFACTION (with Commission assistance)

FY 2019



Conservation the Idaho Way: Sowing the Seeds of Stewardship



SOIL & WATER
CONSERVATION COMMISSION

Conservation Reserve Enhancement Program

FY 2019

178 total contracts
18,161 total acres
36,322 acre ft. water
conserved



Conservation the Idaho Way: Sowing the Seeds of Stewardship

Slide #11



Idaho Department of Agriculture
Conservation Programs Division

GROUND WATER QUALITY/ NITRATE PRIORITY AREAS

FY 2019

- 47,704 acres treated (37,700 targeted)
- 152,500 #s nitrates reduced (147,000 targeted)
- 30,800 #s phosphorus reduced (29,500 targeted)
- 155,500 tons sediment reduced (150,500 targeted)

Conservation the Idaho Way: Saving the Seeds of Stewardship



SOIL & WATER
CONSERVATION COMMISSION

RCRDP LOAN PROGRAM

FY 2019 RCRDP Loan Program

- 7 new loans
- \$~400,000 in new conservation projects
- 43 inquiries received
- 19 applications submitted
- 3 applications denied or withdrawn

Conservation the Idaho Way: Sowing the Seeds of Stewardship

Slide # 13



IDAHO DEPARTMENT OF WATER
IDAHOWATER.COM

TMDL IMPLEMENTATION PLANS

FY 2018

Completed plans

10

Plans in progress

12

Plans pending review,
addendums

10



Conservation the Idaho Way: Sowing the Seeds of Stewardship



SOIL & WATER
CONSERVATION COMMISSION

TELLING OUR STORY Project Tracker

Conservation the Idaho Way

Idaho Conservation Project Tracker

ABOUT PROJECTS PROGRAM INFO RESULTS

Conservation the Idaho W. Outlook Web App camCloud ID Tracker Lake Times E... Online HTML Editor Wapiti:sp1 login Quotes by Abraham Linco... DuctDuctGo TweetDeck Idaho Legislative Tracking IncWeb the Incident Infor... 003300 HI Agency Login http://www.idaho.gov

Project Name or Description

LOGIN HELP

North of Crouch, Idaho - Photo by Russell Eck

Sowing Seeds of Stewardship

The State of Idaho's Conservation Project Tracker tells stories about the significant accomplishments of Idaho's broad conservation partnerships: local, state, and federal agencies working with private landowners, nonprofits, and others to promote good stewardship.

Idaho is home to magnificent and diverse landscapes: rivers, lakes, mountains, forests and desert canyons. It is rich in its wildlife and habitat and contains ample fertile ground suitable for a variety of agricultural pursuits. Those involved in managing Idaho's lands and resources have deep roots. They know that caring for the land

Project Map

Idaho Conservation Projects
Click the map to view larger

IDAHO SOIL & WATER CONSERVATION COMMISSION

Conservation the Idaho Way: Sowing the Seeds of Stewardship

TELLING OUR STORY Projects

Conservation the Idaho Way | 5 x https://swdemo.projectfima.com

Conservation the Idaho Way

ABOUT PROJECTS PROGRAM INFO RESULTS MANAGE

PROJECT MAP
FULL PROJECT LIST
MY ORGANIZATION'S PROJECTS
PROPOSALS
PENDING PROJECTS

Project Name or Description

WELCOME TERI MURRISON HELP

Conservation Project

Restored riparian habitat on Marsh Creek, Southeast Idaho

lake-creek-780-fac...pdf

Show all

Conservation the Idaho Way: Saving the Seeds of Stewardship



CONSERVATION COMMISSION

Project Map

This page displays a map of all Projects entered in the system. Use the legend control on the top right of the map to see watershed or organization boundaries on the map. Click the mapped Project points to learn more about a particular project.

Color Projects by: **Filter Projects by:** **32 of 32 selected** [Link to this map](#)

Cluster Project Locations: ☐

To zoom, hold down Shift and drag a rectangle.

Legend:

- Monitoring
- Rangeland Health
- Forest, Roads, Bridges, and Culverts
- Forest Fuels Reduction
- Forest Restoration
- Sage Grouse
- Anadromous and Threatened/Endangered Fish
- Watershed Restoration
- Confined Animal Feeding Operations (CAFO)
- District Capacity Building Assistance (DSWC)
- Partner Support (non-DSWC)
- Competitions
- Events, Tours, Workshops, and Conferences
- Sagebrush Landscape Restoration
- Other Habitat and Species
- Agricultural Easements

Simple Location

Map controls: Zoom in (+), Zoom out (-), Full screen (F), Simple location (S), Map data (M), Map style (P), Map scale (R), Map legend (L), Map info (I), Map help (H).

TELLING OUR STORY Program Info

Conservation the Idaho Way | <https://swcdemo.projectfirma.com/PerformanceMeasures/index>



Conservation the Idaho Way

Project Name or Description



ABOUT PROJECTS PROGRAM INFO RESULTS MANAGE

WELCOME TERRI MURRISON HELP

Performance

To demonstrate co
Performance Meas

FOCUS AREAS
PROJECT THEMES
PERFORMANCE MEASURES

WATERSHEDS
LEGISLATIVE DISTRICTS
CONGRESSIONAL DISTRICTS

agency of publicly-funded investments, and to ensure ongoing support of projects, the participating SCDs track and report on the
Measure to see detailed accomplishment reporting.

Currently viewing

Performance

ORGANIZATIONS
FUNDING SOURCES

Unit	Type	Description	# of Subcategories	# of Projects	Primary Focus
Linear Feet	Action		0	18	
Division (number)	Action		0	2	
Drip Irrigation System (number)	Action		0	0	
Engineering and Technical Assistance	Action	Number of hours requested, allocated and provided to support district operations	3	155	Conservation
Engineering Designs Produced	Action	Number of engineering designs produced to support a project or program	0	11	Conservation
Endangered Waterscourse Planting (acres)	Action		0	1	
Fence (linear feet)	Action		0	196	

Conservation the Idaho Way: Sowing the Seeds of Stewardship



SOIL & WATER
CONSERVATION COMMISSION

TELLING OUR STORY Project Performance Measures



Conservation the Idaho Way

Project Name or Description



ABOUT PROJECTS PROGRAM INFO RESULTS MANAGE

WELCOME TERI MURRISON HELP

Performance Measures

To demonstrate cost effectiveness and improve transparency of publicly-funded investments, and to ensure ongoing support of projects, the participating SCDs track and report on the Performance Measures listed here. Click a Performance Measure to see detailed accomplishment reporting.

Currently viewing 245 of 245 Performance Measures

Create New Performance Measure Reset Download Table Download with Subcategories

Performance Measure	Unit	Type	Description	# of Subcategories	# of Projects	Primary Focus
Diversion (linear feet)	linear feet	Action		0	18	
Diversion (number)	number	Action		0	2	
Drip Irrigation System (number)	number	Action		0	0	
Engineering and Technical Assistance	hours	Action	Number of hours requested, allocated and provided to support district operations.	3	165	Conservative
Engineering Designs produced	number	Action	Number of engineering designs produced to support a project or program.	0	11	Conservative
Emergency Watercourse Planting (acres)	acres	Action		0	1	
Fence (linear feet)	linear feet	Action		0	196	

Conservation the Idaho Way: Saving the Seeds of Stewardship



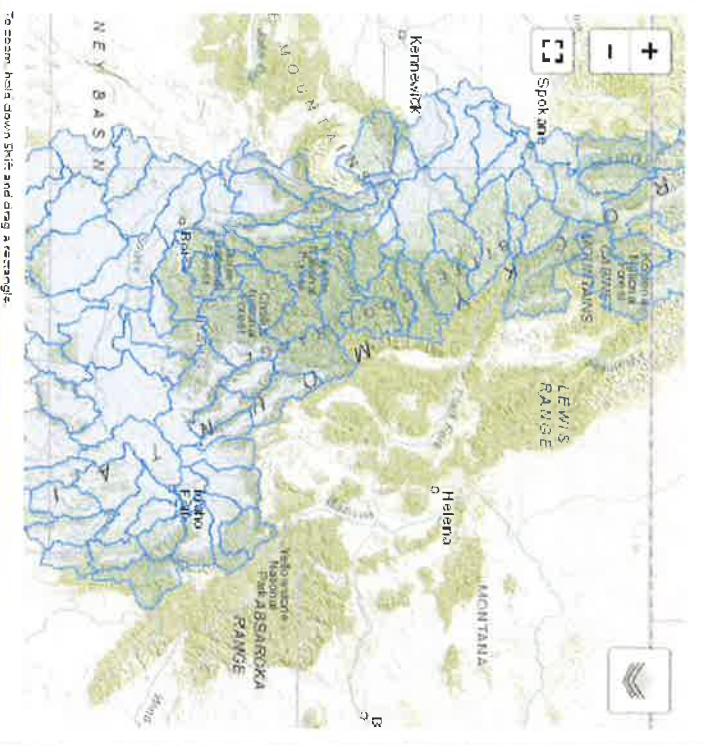
SOIL & WATER
CONSERVATION COMMISSION

TELLING OUR STORY Watersheds

Conservation the Idaho Way | W x
https://swdemo.projectfima.com/ConservationArea/index/5

Watersheds

MAP



WATERSHEDS

Currently viewing 87 of 87 Watersheds

Reset Download Table

Watershed	# of Projects
C.L. Sittle Reservoir (17050101)	8
Carras (17040201)	68
Carthia Bear (16010101)	13
Clearwater (17060306)	186
Coeur d'Alene Lake (17010101)	215
Curew Valley (16030509)	1
East Little Oversee (17050105)	0
Greene (17040111)	7
Grey-Hoodok (17040103)	0
Vernian (17010306)	16
Felis Canyon (17060101)	3
Idaho Falls (17040501)	24
Jordan (17050108)	0
Site Watson (17040509)	52

Conservation the Idaho Way: Sowing the Seeds of Stewardship



SOIL & WATER
CONSERVATION COMMISSION

TELLING OUR STORY Legislative Districts



Conservation the Idaho Way

ABOUT ▾ PROJECTS ▾ PROGRAM INFO ▾ RESULTS ▾ MANAGE ▾

Project Name or Description



WELCOME TERRI MURRISON ▾ HELP ▾

Legislative Districts

MAP



LEGISLATIVE DISTRICTS

Currently viewing 35 of 35 Legislative Districts

Reset Download Table

Legislative District	# of Projects
State District 21	5
State District 22	53
State District 23	134
State District 24	6
State District 25	386
State District 26	273
State District 27	65
State District 28	53

Conservation the Idaho Way: Seeding the Seeds of Stewardship



SOIL & WATER
CONSERVATION COMMISSION

Conservation the Idaho Way: Saving the Seeds of Stewardship

Slide #22



Idaho Department of Lands

THANK YOU/QUESTIONS?

FOR MORE INFO, CONTACT
TERI MURRISON, ADMINISTRATOR
208-322-1790



Conservation the Idaho Way: Saving the Seeds of Stewardship



SOIL & WATER
CONSERVATION COMMISSION

Slide #23

AGENDA
SENATE AGRICULTURAL AFFAIRS COMMITTEE
8:00 A.M.
Room WW53
Tuesday, March 03, 2020

SUBJECT	DESCRIPTION	PRESENTER
Minutes Approval:	Minutes of February 13, 2020	Senator Patrick
	Minutes of February 18, 2020	Senator Bayer
Presentation:	Idaho Wine Commission	Moya Dolsby, Executive Director
Presentation:	Invasive Species and Weeds	Lloyd B. Knight, Administrator, Division of Plant Industries, Idaho State Department of Agriculture

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Guthrie	Sen Lent
Vice Chairman Den Hartog	Sen Bayer
Sen Patrick	Sen Jordan
Sen Harris	Sen Nelson
Sen Mortimer	

COMMITTEE SECRETARY

LeAnn Mohr
Room: WW31
Phone: 332-1330
Email: sagri@senate.idaho.gov

MINUTES
SENATE AGRICULTURAL AFFAIRS COMMITTEE

DATE: Tuesday, March 03, 2020

TIME: 8:00 A.M.

PLACE: Room WW53

MEMBERS PRESENT: Chairman Guthrie, Vice Chairman Den Hartog, Senators Patrick, Harris, Mortimer, Lent, Bayer, Jordan, and Nelson

ABSENT/ EXCUSED: None

NOTE: The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the Committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Guthrie** called the Senate Agricultural Affairs Committee (Committee) to order at 8:00 a.m.

MINUTES APPROVAL: **Senator Patrick** moved to approve the Minutes of February 13, 2020. **Senator Mortimer** seconded the motion. The motion passed by **voice vote**.

Senator Bayer moved to approve the Minutes of February 18, 2020. **Senator Harris** seconded the motion. The motion passed by **voice vote**.

PRESENTATION: **Moya Dolsby**, Executive Director, Idaho Wine Commission (Commission), reported the Commission's annual report. She spoke about the Commission's staff and the board of directors. She told about the mission and vision and reported that Idaho wines are high quality, important to Idaho's economy, and detailed the wine industry's upward development and expansion. **Ms. Dolsby** spoke about the economic statistics of the wine industry in Idaho, the Commission's budget structure, and the economic impact Idaho wines have on the state. She reported that the wine excise tax funds the Commission and explained their reliance on the funds. She told about upcoming legislation that will defer some of the beer tax money and addressed the concerns of losing those funds. She reported the Commission's top nine 2019 events and expanded on the future challenges.

DISCUSSION: In response to Committee questions, **Ms. Dolsby** explained why Idaho's soil and climate are conducive to grape growing and detailed the importance of minimal watering to achieve an ideal crop. She stated there are more growers inquiring about growing grapes in Idaho. She explained the reasons for the funding loss and how the Commission will work to find a solution to the reduced revenue. **Ms. Dolsby** said that Idaho exports almost 30 percent of its wine and highlighted the retail work of Idaho wineries.

PRESENTATION: **Lloyd B. Knight**, Administrator, Division of Plant Industries, Idaho State Department of Agriculture (ISDA), presented Idaho Watercraft Inspection Program, Preventing the Spread of Aquatic Invasive Species. He addressed the different sectors of the invasive species program that ISDA oversees: 1.) prevention; 2.) early detection monitoring; 3.) management and control; and 4.) Education and Outreach. He spoke about the ongoing efforts with the inspection stations around the state, cooperation from law enforcement and the Idaho Transportation Department (ITD), and the training for the seasonal staff. He detailed the movement of fouled watercraft and emphasized the importance of the work that is being done to keep the Columbia-Snake River basin free of invasive species.

Mr. Knight updated the Committee about the noxious weed program and explained the treatments that are being done across the state's lakes to eradicate noxious plants. He told the Committee that the Mormon cricket and grasshopper population had less of an impact resulting in a reduction of financial resources.

In response to Senator Patrick's questions about the Cotterell inspection station, **Mr. Knight** explained that the building is contaminated with mold and asbestos. The site where the building stands is the property of ITD and they direct what buildings are to go on that site and where they will be located. He said that inspection station has road visibility issues but with the help of law enforcement and signage, the site is still viable for boat inspections.

Mr. Knight addressed additional inspection concerns and explained how the boats and rafts are inspected for live mussels at the ports of entry (POE). He reported how other western states' inspections have helped reduce the number of POE inspection stations in Idaho. He said compiled data from cooperative states has helped them track noxious species. He spoke about difficulties with the federal waters, especially in Colorado and the Great Lakes area and stated that mussels will not survive in saltwater.

When asked how boat transporters respond to multiple inspections, **Mr. Knight** said the majority understand the need for the inspection and cooperate.

Chairman Guthrie thanked Mr. Knight for the presentation and said that the Committee is quite interested and concerned with this issue. He said the work of ISDA is valuable to help keep invasive species out of the state's waters.

ADJOURNED: There being no further business at this time, **Chairman Guthrie** adjourned the meeting at 8:58 a.m.

Senator Jim Guthrie
Chair

LeAnn Mohr
Secretary



0



Idaho Wine Commission Team



- Moya Dolsby - *Executive Director*
- Brenna Christison - *Operations & Finance Manager*
- Ashlee Struble - *Industry Relations Manager*
- Kathryn Westlund - *Events Coordinator*

1

IDAHO WINE
COMMISSION

1



Commissioners

- Earl Sullivan, Chairman - *Telaya Wine Co.*
- Jake Cragin - *Skyline Vineyards*
- Greg Koenig - *Koenig Vineyards*
- Crystal Potter - *Potter Wines*
- Mike Williamson - *Williamson Vineyards*



2

IDAHO WINE
COMMISSION

2



Idaho Wine Commission's Mission

Be a united voice to market, promote
and champion all Idaho's grape
growers and winemakers



3

IDAHO WINE
COMMISSION

3



Idaho Wine Commission's Vision

Sustain a growing wine industry respected for its committed growers and producers, passionate consumers and distinctive wines



4

IDAHO WINE
COMMISSION

4



Qualities of Idaho Wines Are ...

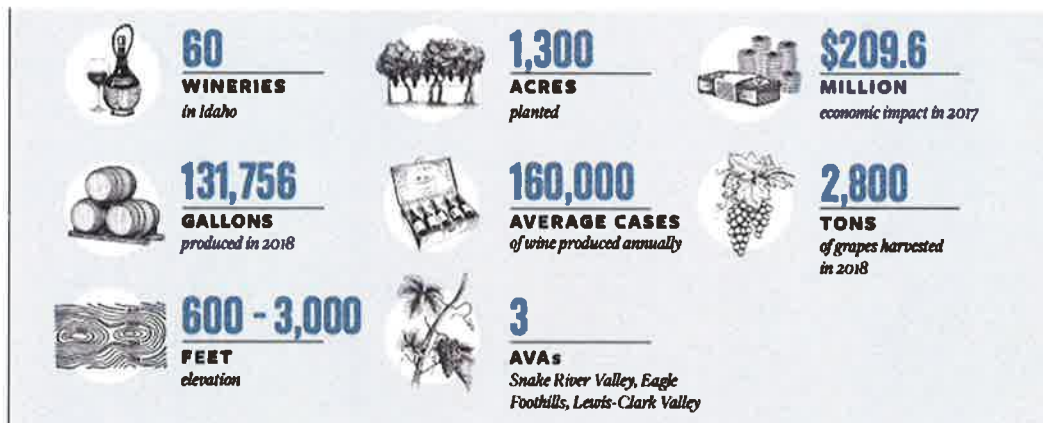
- High Quality
- An Important Part of Idaho's Economy
- Growing and Developing

IDAHO WINE
COMMISSION

5



Facts & Statistics



6



Wine Excise Tax

WINE EXCISE TAX

Wine Excise Tax is \$0.45 per gallon (\$6,017,040 in 2018)

- 83% Allocated to General Fund (\$0.38 or \$4,994,143)
- 12% Allocated to Substance Abuse (\$0.05 or \$722,044)
- 5% Allocated to Idaho Grape Growers & Wine Producers Commission (\$0.02 or \$300,071)

7



2019 Budget Structure

Brand Loyalty

\$536,672*

***\$452,192 SPECIALTY
CROP BLOCK GRANT
FUNDING**

50% OF TOTAL BUDGET

Marketing/Advertising
Public Relations
Events
Media Tours
Website
Brochure

Education

\$178,577*

***\$122,577 SPECIALTY
CROP BLOCK GRANT
FUNDING**

16% OF TOTAL BUDGET

Vineyard Consultant
Industry Travel Funds
Boot Camp
Annual Meeting
Idaho Wine Competition
Road Show
Economic Impact Study

Operational

\$355,587

33% OF TOTAL BUDGET

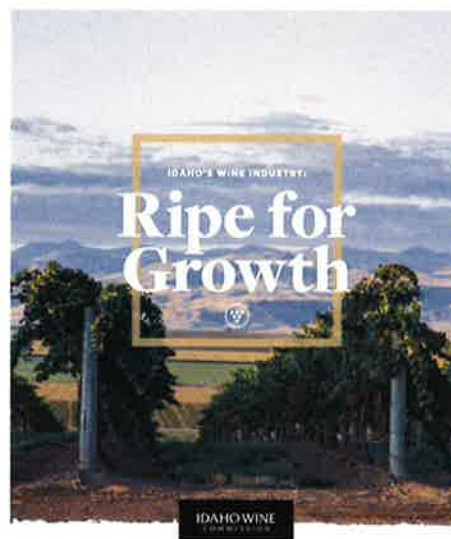
Office Space
Professional Services
Travel
Insurance
General Office
Staff Salaries
Payroll Overhead
Benefits

8



2017 Economic Impact

- \$209.6 Million Total Economic Impact of Wine Industry to the State
- Every \$1 of excise-tax based investment was associated with \$260 in business revenues across the state



9



Current Legislation

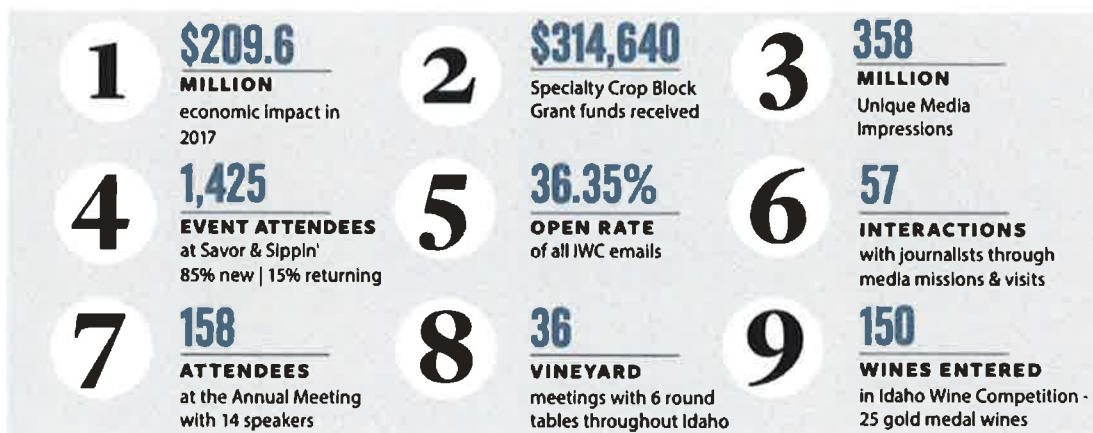
Bonded Warehouse Legislation



10



Top 9 for 2019



11



Challenges We Face

- Funding Cut
- More Grapes in the Ground
- Extension Office
- More Funding for Research



IDAHO WINE
COMMISSION

12



13



1

 A presentation slide titled "Invasive Species Program Areas". The background is a light purple and pink abstract design. In the top left corner, a small box contains the text "INVASIVE SPECIES OF IDAHO". The title "Invasive Species Program Areas" is in a large, black, sans-serif font. To the left of the title is a bulleted list:

- Prevention
 - Watercraft Inspection
- Early Detection Monitoring
 - Plankton tow
 - Adult surveys
- Management and Control
 - Active control programs
 - Rapid response planning
- Education and Outreach
 - Public campaigns
 - Partnerships

 To the right of the list is a photograph of a roadside scene. On the left, a white sign on a black post reads "STATE LAW" in yellow, "TRANSPORTATION OF INVASIVE SPECIES PROHIBITED" in black, and "WATERCRAFT MUST HAVE STICKER TO LAUNCH" in black. To the right of this is a blue sign on a black post that reads "WELCOME TO THE UNITED STATES OF AMERICA" and "Welcome to IDAHO" in white. The background of the photo shows green trees and a clear sky.

2

2019 Invasive Species/Noxious Weeds Field Staff

- 2019 increase in seasonal field staff in multiple program areas
 - Aquatic survey, roving crew, hydrilla, grasshopper/ Mormon cricket
- Crews often worked in multiple programs per day or week
- 6 Geographic areas
 - Bonners Ferry, Sandpoint, Hayden, Boise, Twin Falls, Idaho Falls

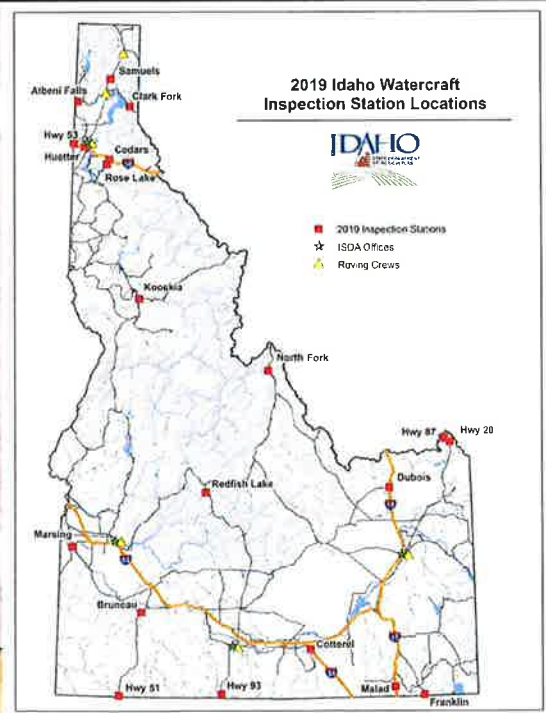


3

INVASIVE SPECIES OF IDAHO

2019 Inspection Station

- 11th Year of the inspection program
 - 118,350 in 2019
 - over 715,000 from 2009-2019
- 45 Mussel fouled watercraft
 - 18 Destined to Idaho
- 20 Inspection stations
 - 19 Cooperator stations
- 6 Roving inspection crews
- Extended season duration
- Extended night operations
 - 18 Hour (6AM-midnight)
 - Malad (I-15 N), Cedars (I-90W), Jackpot (HWY 93 N)
 - 24 Hour
 - Cotterel (I-84W)
- Law enforcement support
 - Local County
 - Idaho State Police



4

INVASIVE SPECIES OF IDAHO

Inspection Station Cooperators

- Bear Lake Regional Commission
 - Garden City & Laketown Canyon (Utah)
- Bonner Soil & Water Conservation District
 - Albeni Falls, Samuels & Clark Fork
- Bruneau River Soil & Water Conservation District
 - Bruneau & Marsing
- City of Dubois
 - I-15 S Dubois
- City of Kooskia
 - HWY 12 W Kooskia
- Franklin Soil & Water Conservation District
 - Franklin
- Fremont County
 - HWY 87 & HWY 20
- Kootenai-Shoshone Soil & Water Conservation District
 - I-90W Cedars, I-90E Huetter, Rose Lake, HWY 53
- Lemhi County
 - HWY 93 North Fork
- Mid-Snake Resource Conservation & Development Council (Twin Falls County Weed)
 - HWY 93 Jackpot
- Oneida Soil & Water Conservation District
 - I-15 N Malad
- Shoshone-Paiute Tribe
 - Duck Valley
- West Cassia Soil & Water Conservation District
 - I-84 W Cotterell



5

INVASIVE SPECIES OF IDAHO

AIS Roving Inspection Crew

- Watercraft inspection & boater education
- Primarily at high use boat launches and boating events
 - Races, expos, regattas, peak holiday weekends, etc.
- Thursday-Sunday work week
- Motorized and non-motorized users
 - Headwater launches (i.e. Boundary Creek)
- 6 regional inspection crews
 - Boise
 - Twin Falls*
 - Idaho Falls
 - Hayden
 - Sandpoint*
 - Bonners Ferry*

*New station for 2019





6


INVASIVE SPECIES OF IDAHO

2019 Law Enforcement

- 1st year all stations have LE support
- Boater compliance and safety
- Focus during hours of high traffic
- Inspectors contact county dispatch as needed



- Idaho State Police
- Bonner County Sheriff
- Cassia County Sheriff
- Clark County Sheriff
- Fremont County Sheriff
- Idaho County Sheriff
- Kootenai County Sheriff
- Lemhi County Sheriff
- Oneida County Sheriff
- Owyhee County Sheriff
- Twin Falls County Sheriff





7

INVASIVE SPECIES OF IDAHO

Idaho Transportation Department Port of Entry (POE)

- Commercially Hauled Vessels are inspected for mussels at POE
- ISDA receives oversize load permits for water related equipment
- Customs & Border Protection also inspecting
 - Notify ISDA staff if mussels are found

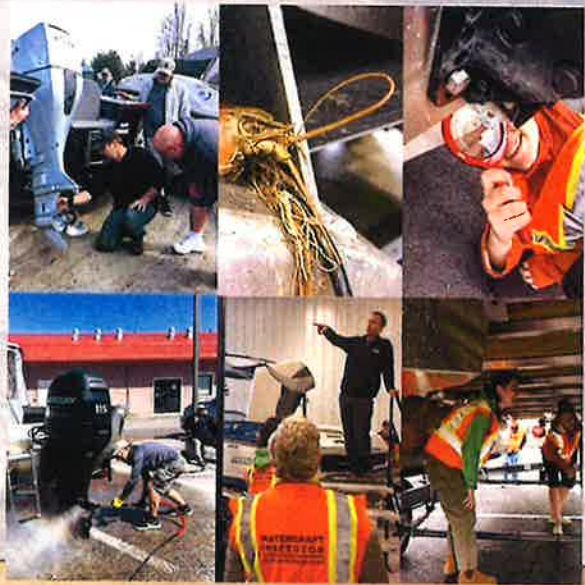
Port Of Entry (POE) Locations

8

INVASIVE
SPECIES OF IDAHO

Watercraft Inspection Training (WIT)

- Facilitated 18 WIT sessions statewide in 2019
- Participation from local cooperators and stakeholders
- 2 Day course
 - Day 1- Biology, impact, boat anatomy 101, inspection protocol, data
 - Day 2- Hands-on marine technician boat anatomy 201, hotwash operations



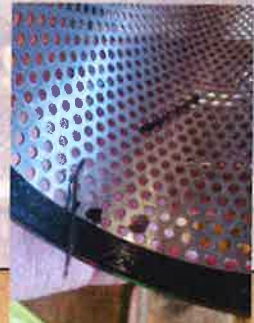
K.
Holzer

9

INVASIVE
SPECIES OF IDAHO

Where are mussels on watercraft?

- Hull, thru-hull fitting, chines
- Outdrive, transducer, pitot tube
- Anchor, rope and chain
- Sea strainer
- External water pump, live wells, internal plumbing
- Anywhere that contacts water!



10

INVASIVE SPECIES OF IDAHO

High Risk vs Standard Inspection

- Mussel Infested waterbody in previous 30 days
- Standing water
- Large and complex
- Dirty or vegetation attached
- Unknown origin or history
 - Recently purchased/ commercially hauled

11

INVASIVE SPECIES OF IDAHO

Foul Watercraft Protocol

- Inspectors perform field tests to determine mussel viability
 - Viable mussels: Wet, moist, intact. Close when agitated. Hesitate forced opening. Sink in water. Open and begin siphon in water
 - Dead mussels: Dry, brittle, crumbling. Stay open when agitated, Easily forced opened or crumbles. Float in water. Will not siphon in water
- Viable QZM mussels. (2019-0)
 - ISDA will impound and decontaminate
 - Decontamination is more thorough and intensive than a Hot Wash
 - Law enforcement will be contacted
- Dead QZM mussels. (2019-45)
 - Inspectors perform hotwash
 - ISDA will notify destination states and/or provinces
 - Information documented with data unit and high risk inspection form

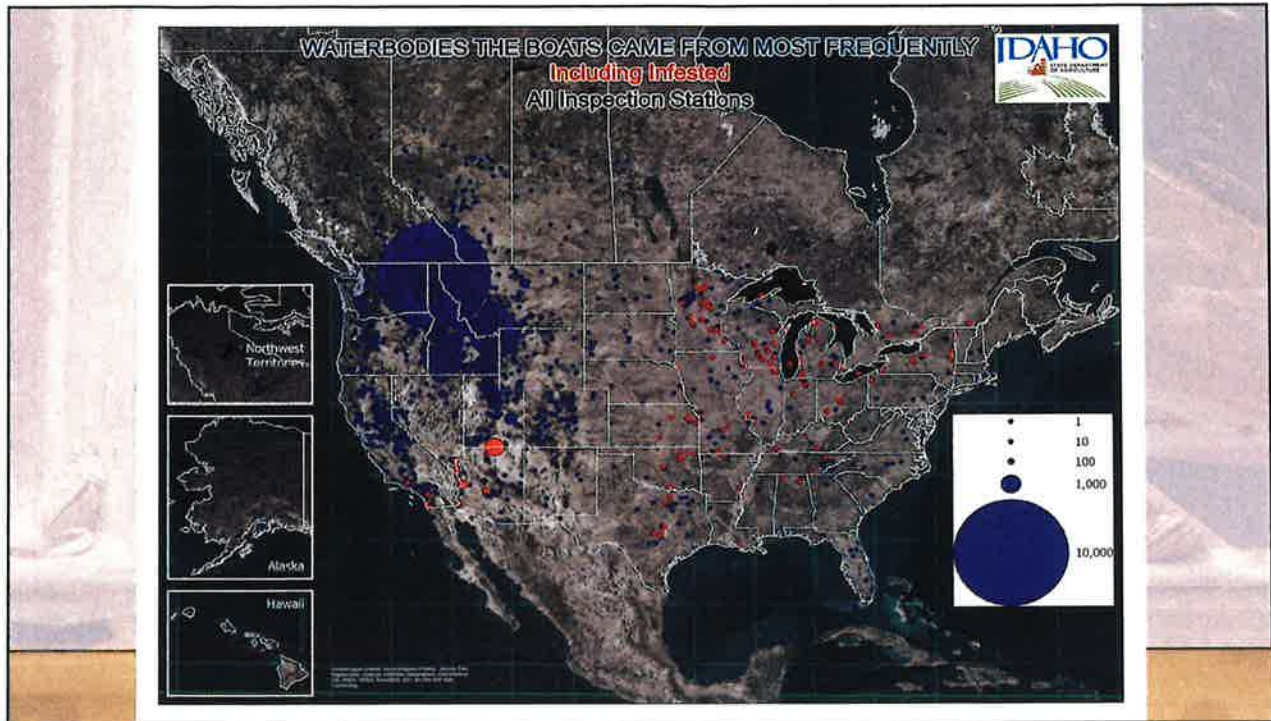
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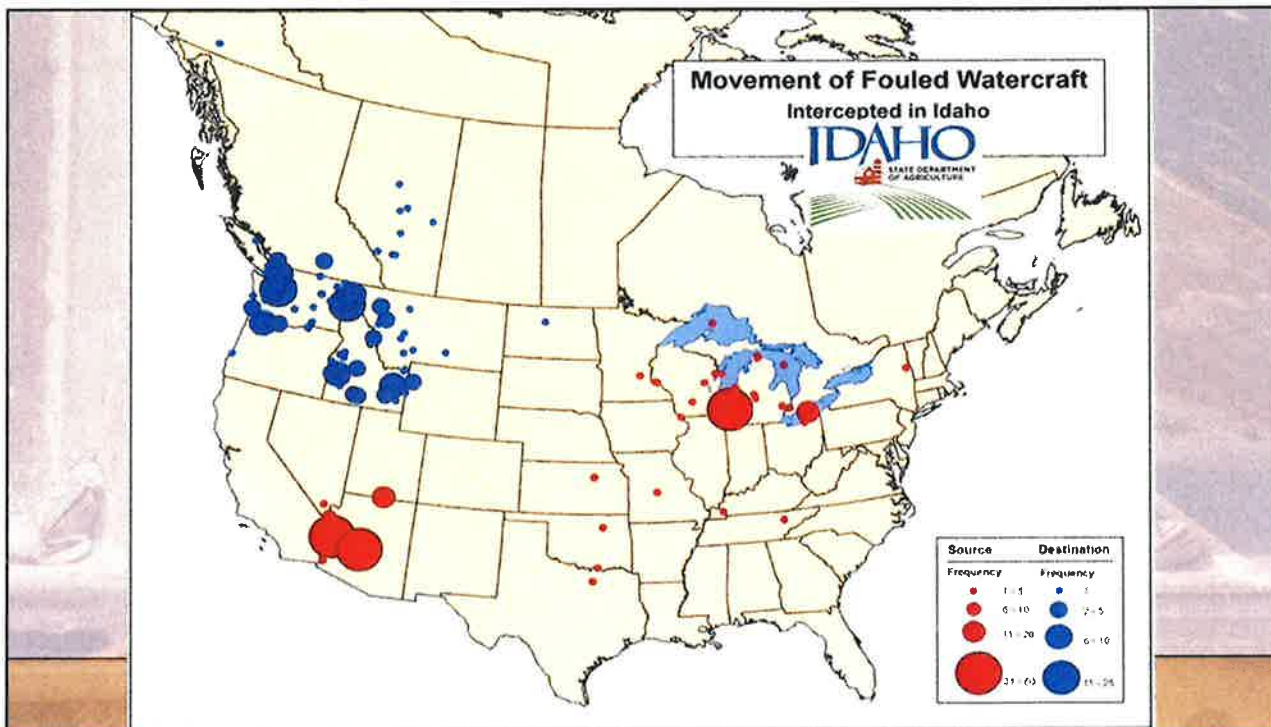
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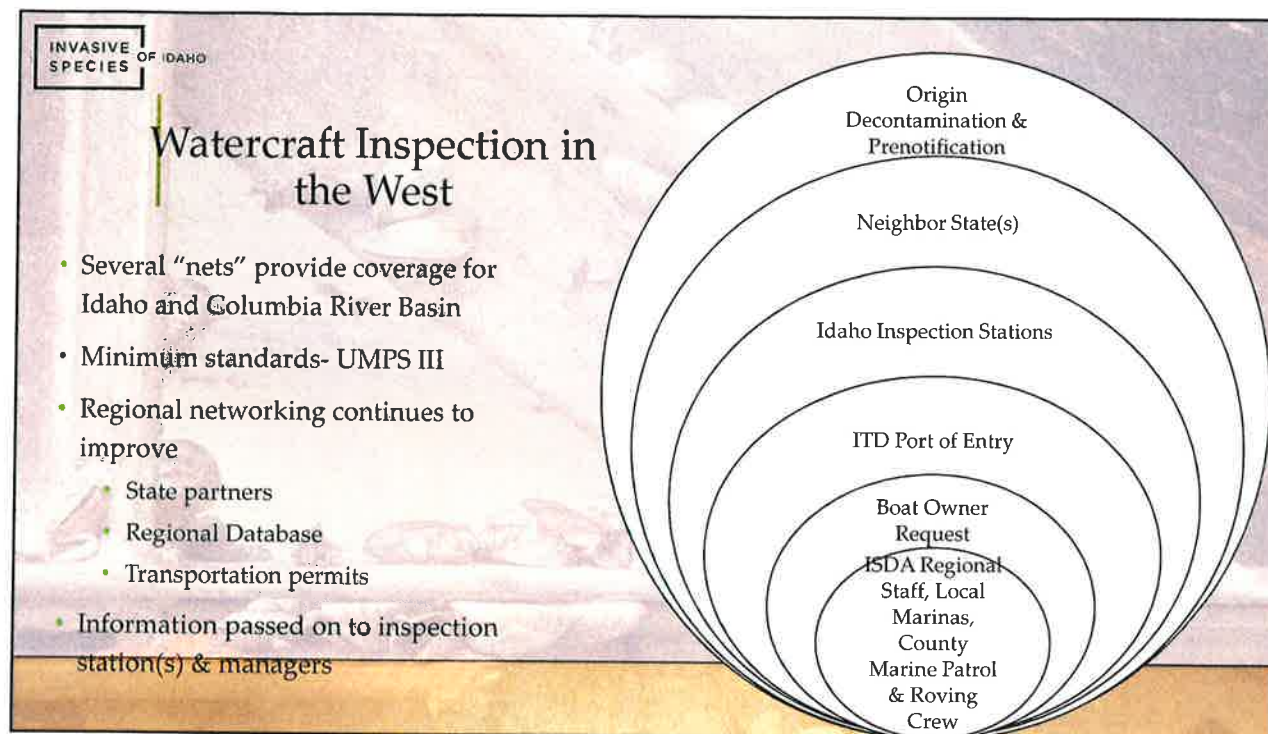
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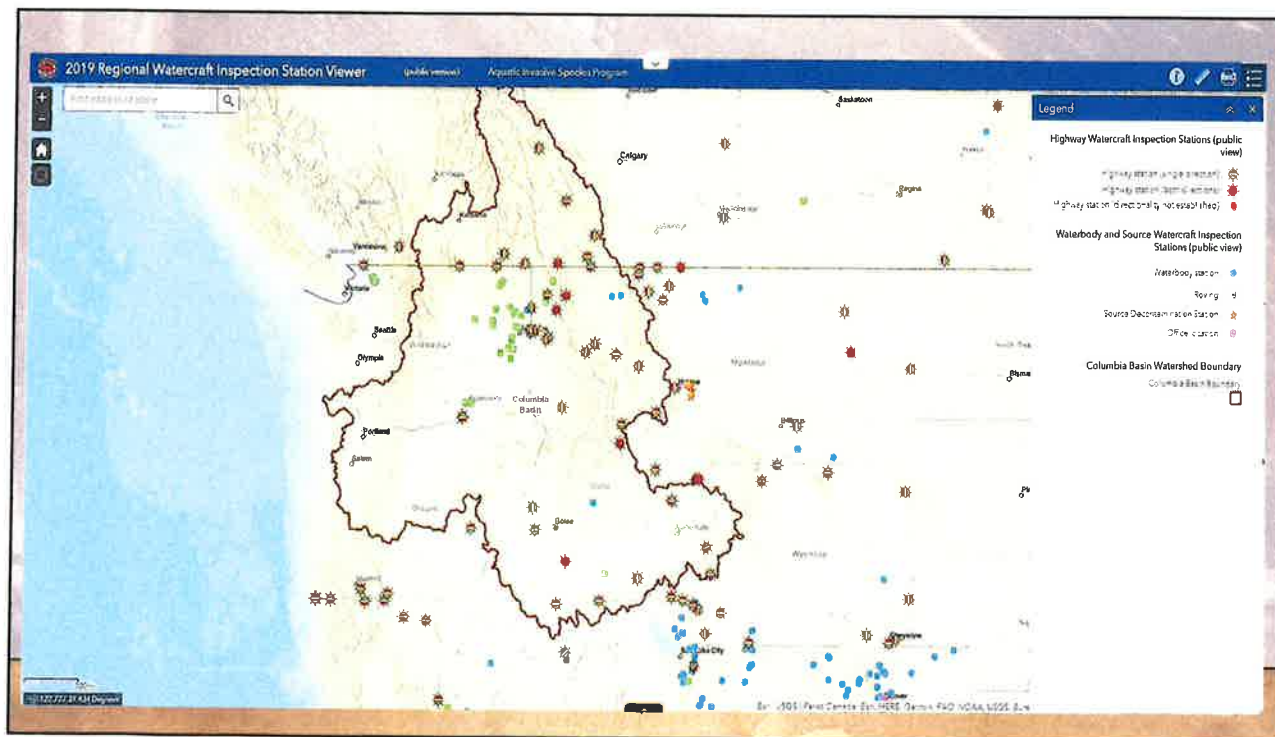
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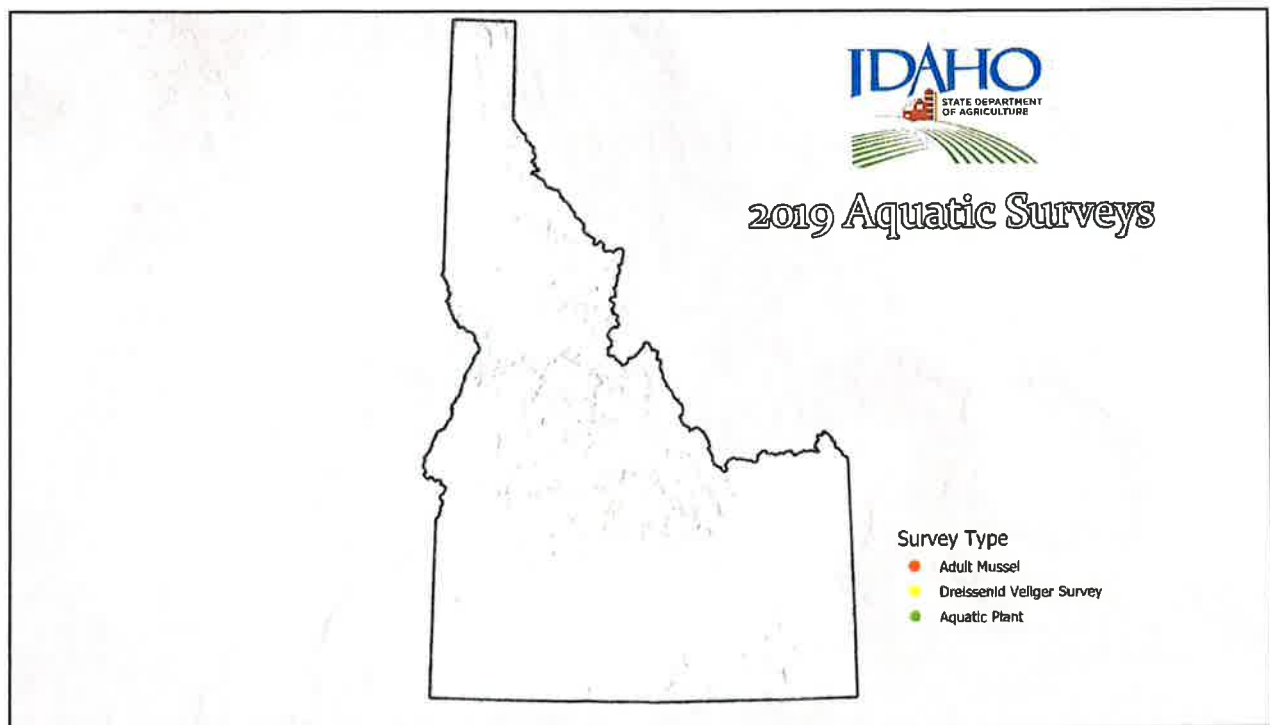
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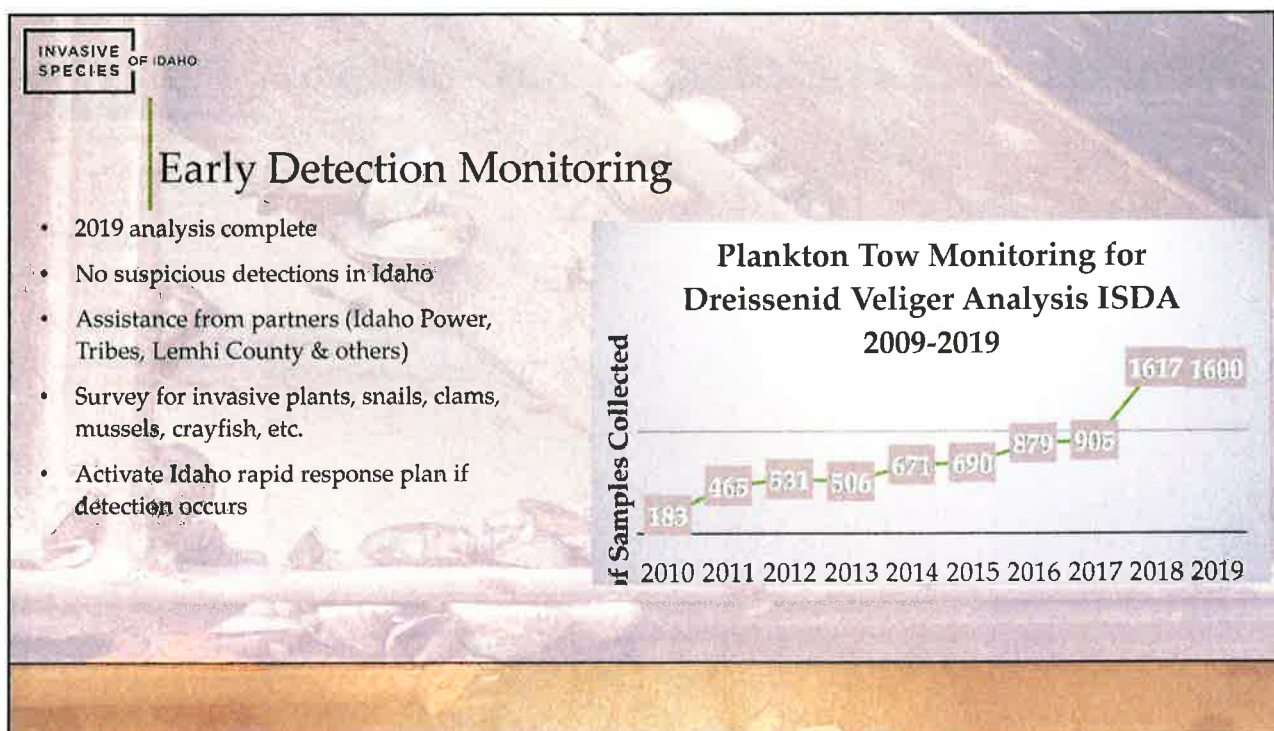
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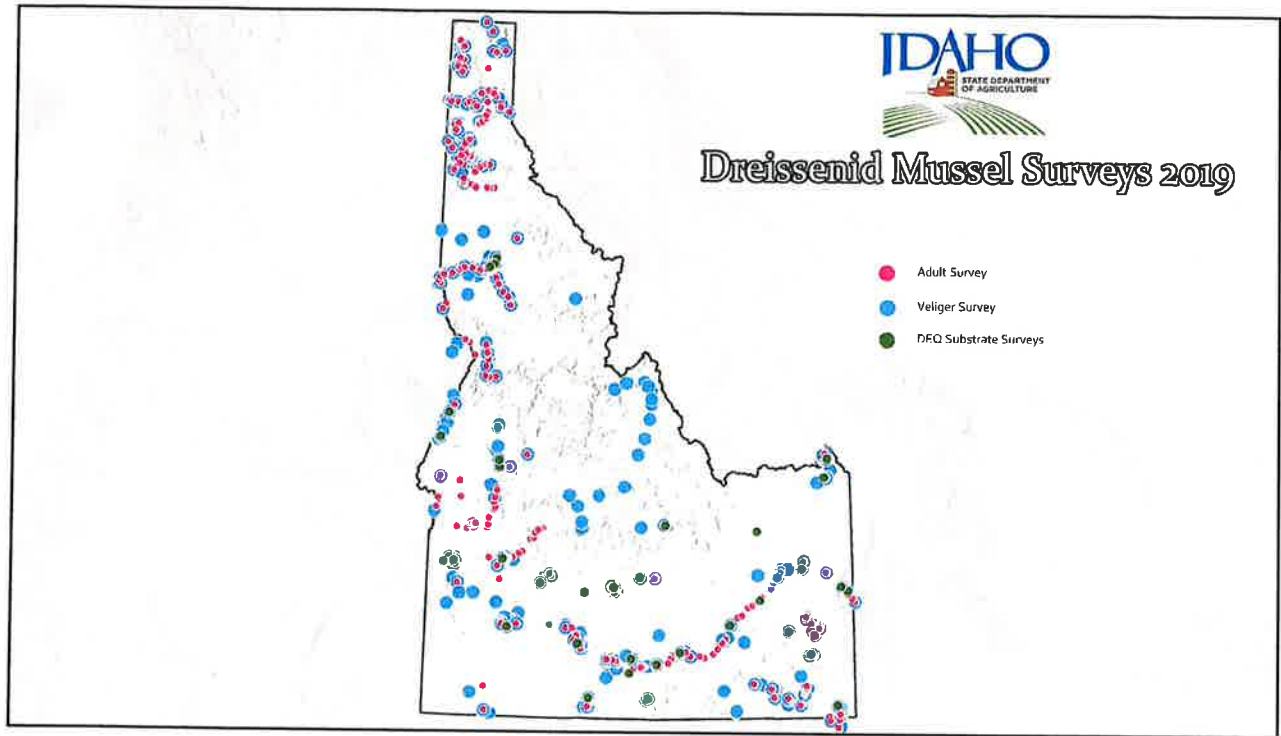
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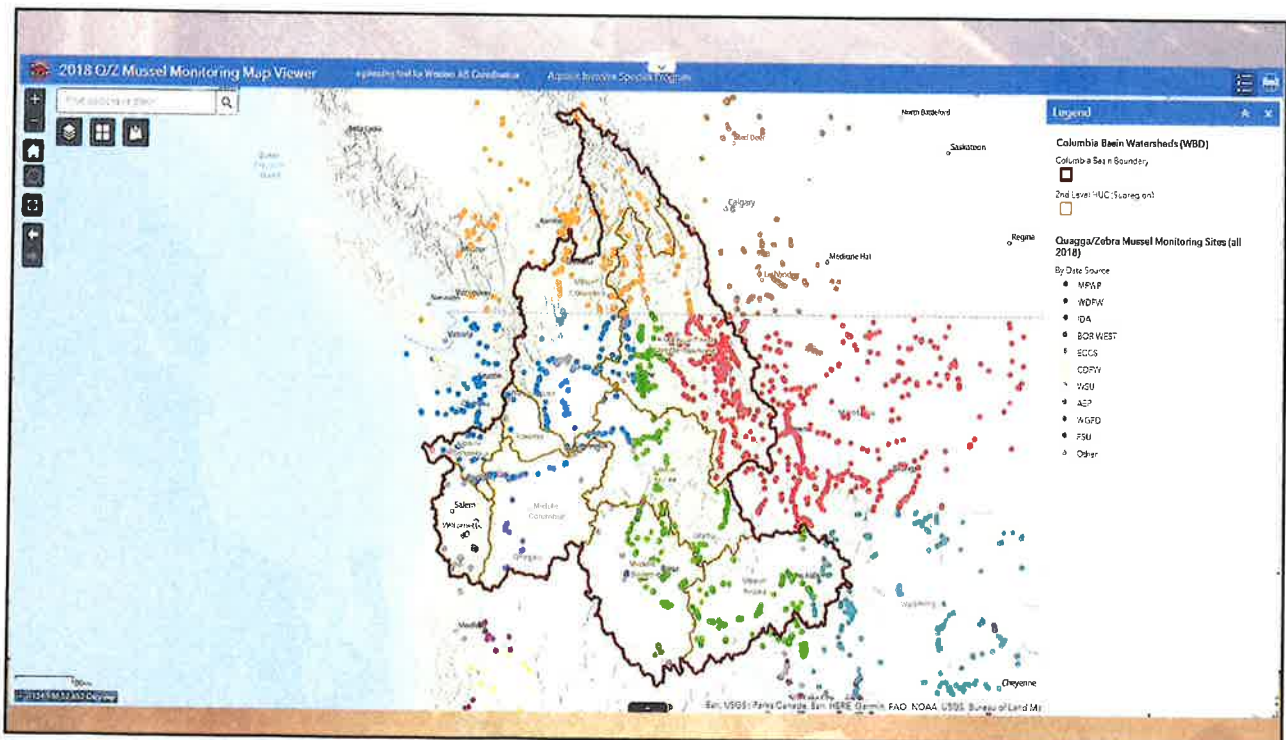
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22

INVASIVE SPECIES OF IDAHO

Idaho Rapid Response

- Report found here: <https://www.westernais.org/rr-plans-exercises-groups>
- Rapid response exercise – May 2019
 - Hells Canyon Complex
 - Idaho Power Company partner
 - State of Oregon
 - Nez Perce Tribe
 - US Forest Service
 - Invasive Species Action Network (facilitator)
 - Pacific States Marine Fisheries Commission
- Idaho Rapid Response Plan
 - Aligns with regional state plans
 - Aligns with Columbia River Basin Interagency Plan
 - Focuses on verification and communication
 - Learning from other states' experiences

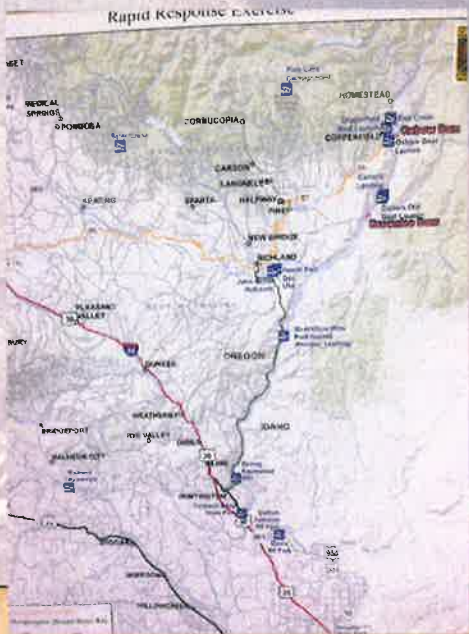




23

Idaho Rapid Response

- Scenario:
 - Hells Canyon Reservoir boat launch
 - Regulated by multiple dams in the surrounding area (Hells Canyon Complex)
 - Joint jurisdiction with Oregon and Idaho
 - May 20 & 21, 2019
 - Idaho Power ownership of launch area



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Idaho Rapid Response

- Containment measures:
 - Throughout the exercise ISDA and ODFW were able to source resources to hypothetically set up roadside inspections stations at pinch points leaving area.
 - Mock inspection station was established at launch by ISDA staff
- Containment measures:
 - ISDA was able to source silt curtains within other state resources
 - Explored treatment options with multiple professional applicators and supplies
 - Discussed treatment permitting
 - Source treatment supplies locally

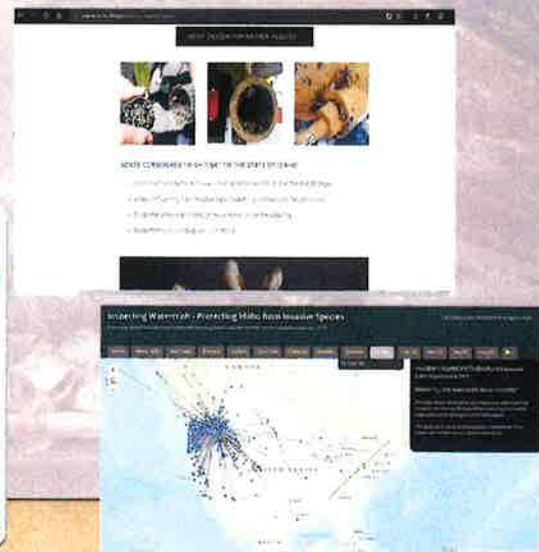


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INVASIVE SPECIES OF IDAHO

www.invasivespecies.idaho.gov

- Invasive Species & Noxious Weeds
- Watercraft Inspection
 - Decontamination request form
- Early Detection Monitoring
- Grasshopper & Mormon Cricket Control
- Noxious Weed Free Forage & Straw
- Forms, Reports, & Publications
- Maps
- FAQs
- Laws & Rules
- Contact Information



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Noxious Weed Program

LEGISLATIVE UPDATE 2020



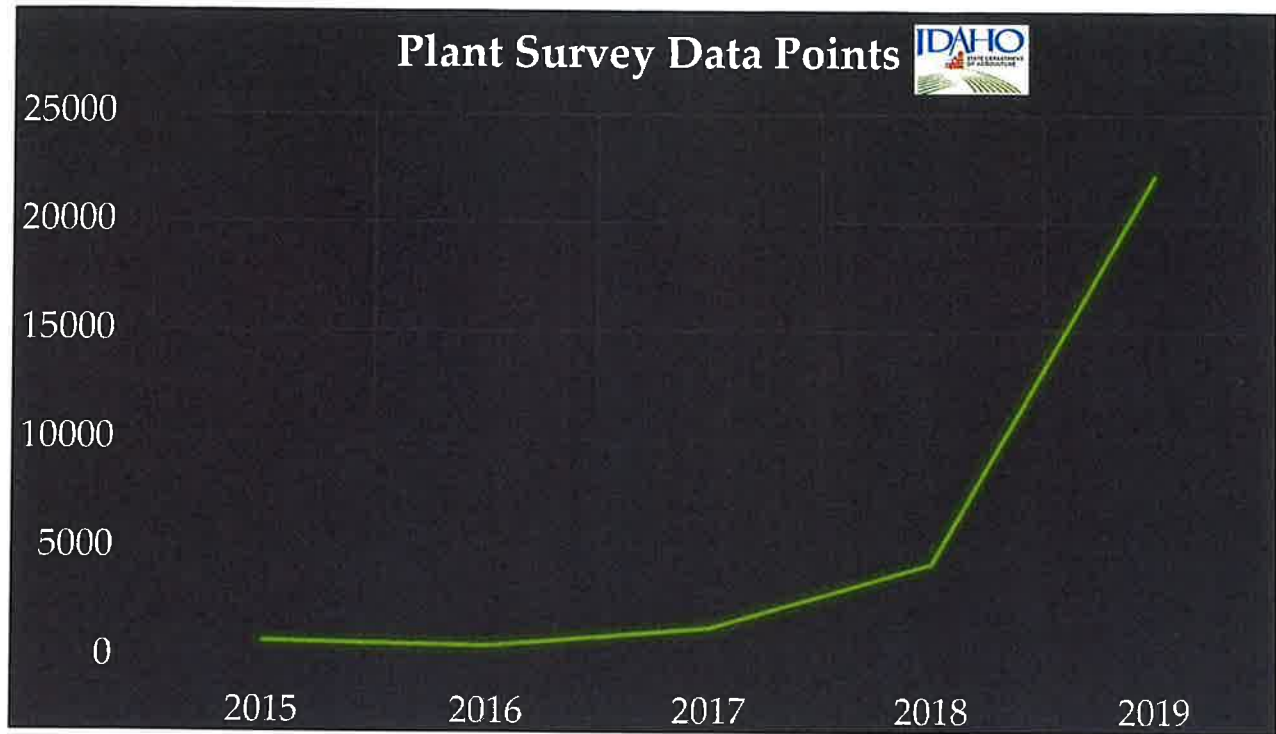
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Aquatic Noxious Weeds

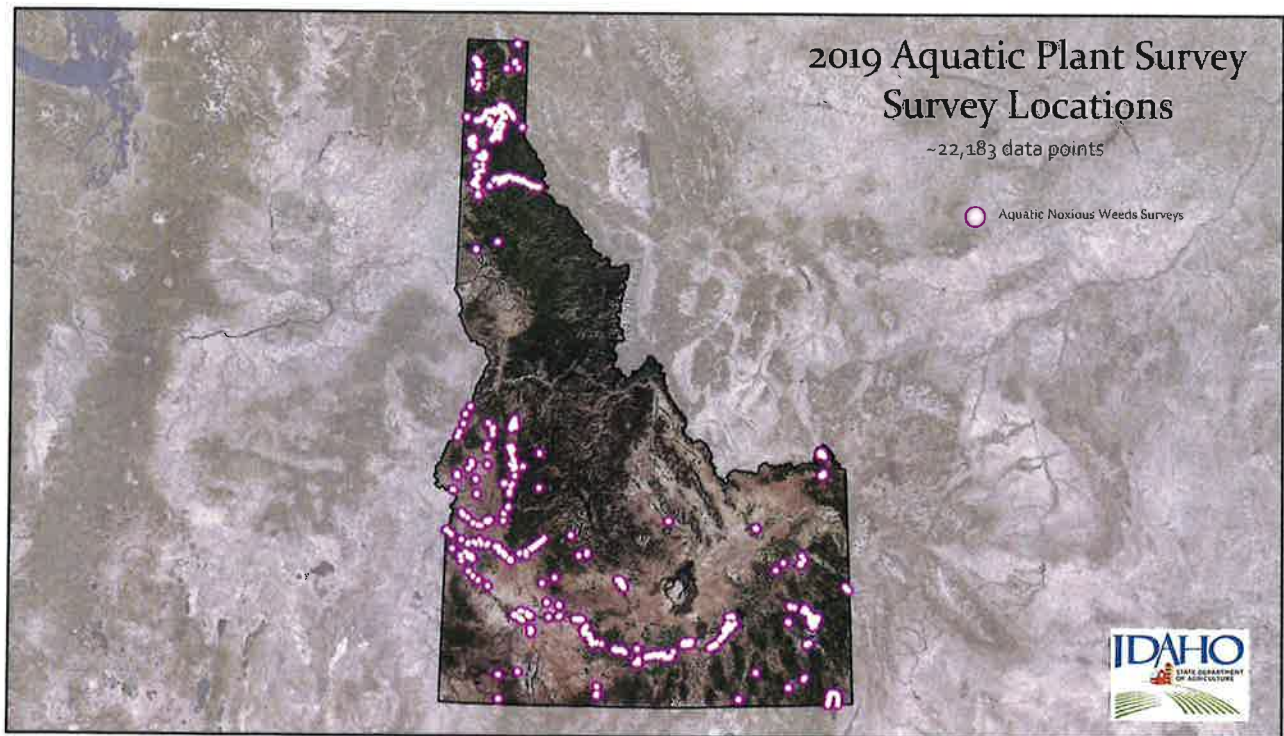
- General Update-
 - 742 Total Chemical Acres Treated
 - 12 Total Mechanical Removal Projects
 - 22,183 Total Survey Points Collected
 - 83 Total Waterbodies Surveyed



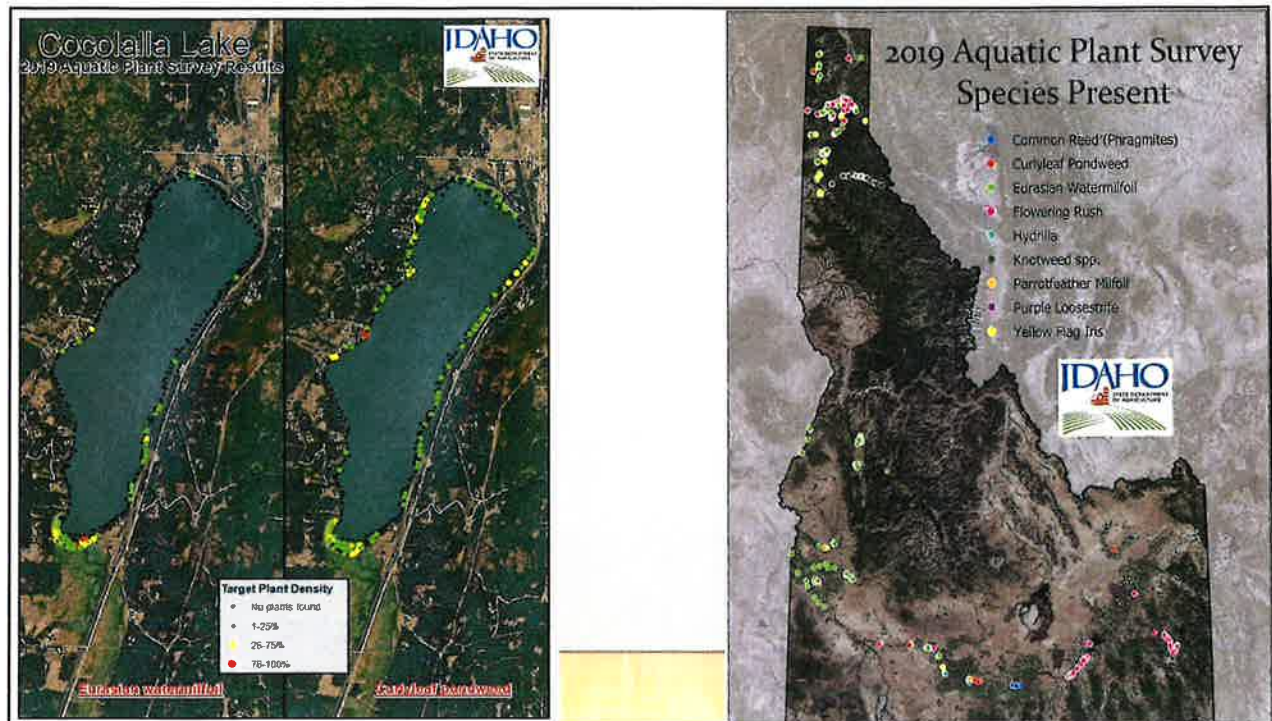
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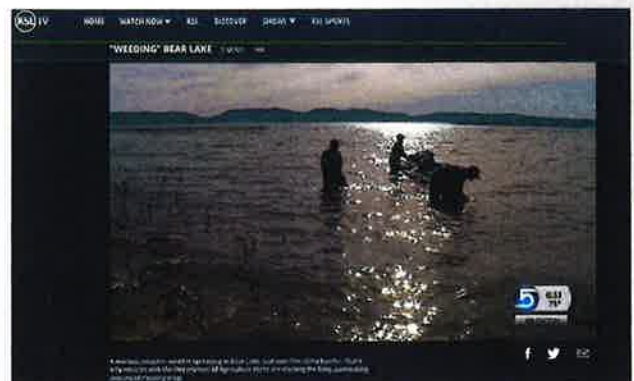
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Bear Lake

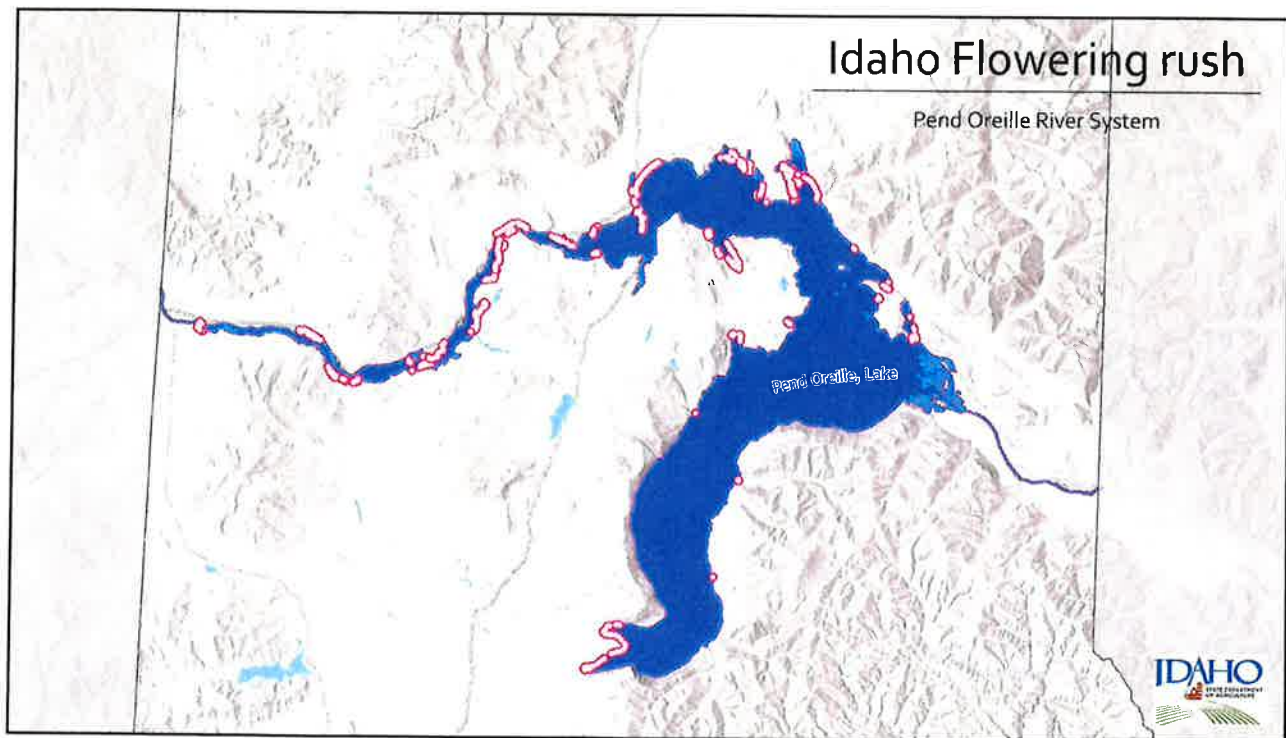
- New detection of Eurasian watermilfoil
- Mechanical removal project
- Week of September 23, 2019
- Work Performed by ISDA Staff,



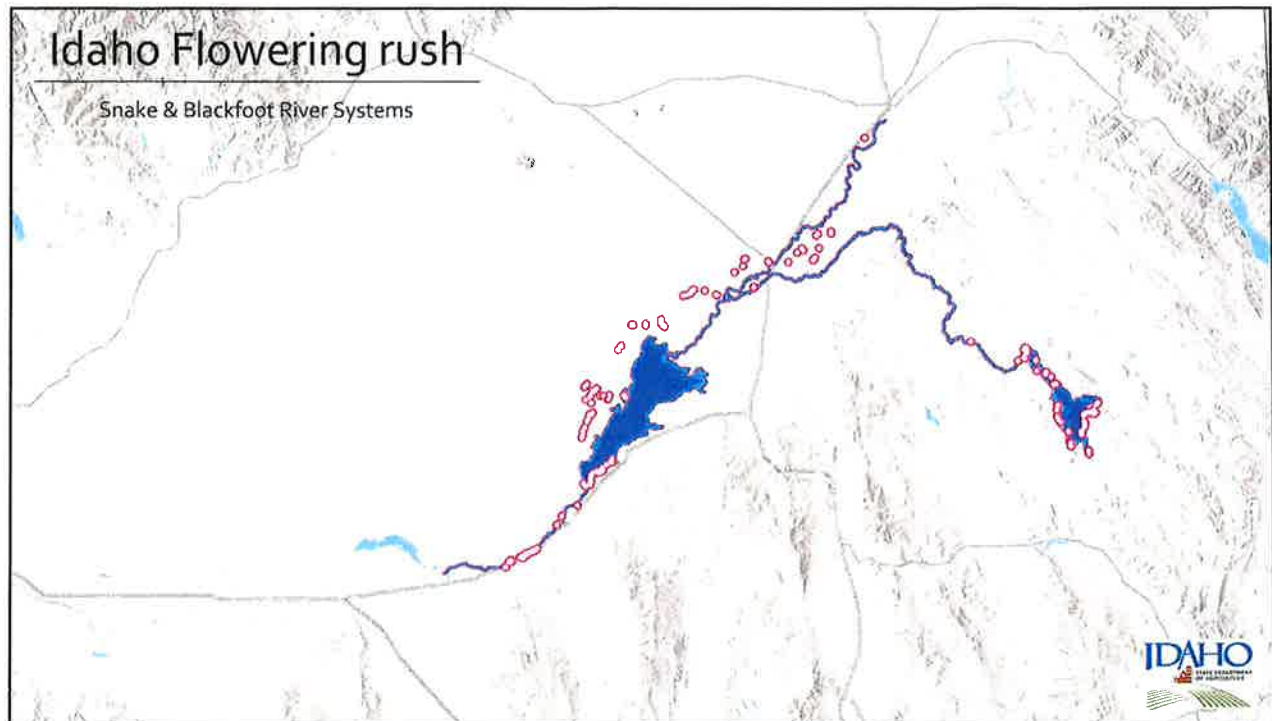
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35

HAYDEN LAKE SPRING TREATMENT

- 364 CHEMICAL ACRES
- CURLYLEAF PONDWEED & EURASIAN WATERMILFOIL TARGET SPECIES
- THIS AREA HAS BEEN A PROBLEM AREA
- INCREASED POPULATION DENSITIES CAUSING IMPACTS TO THE NORTH ARM OF HAYDEN LAKE



36

CWMA cost Share 2019

- Of the 33 CWMA's, 29 applied for cost share funds for the 2019 cycle
- \$1.7 million in requests submitted to the Cost Share Review Committee
- CWMA's awarded \$1.37 million
 - \$1.33 million in state funds
 - \$39,000 in federal Sage grouse funds

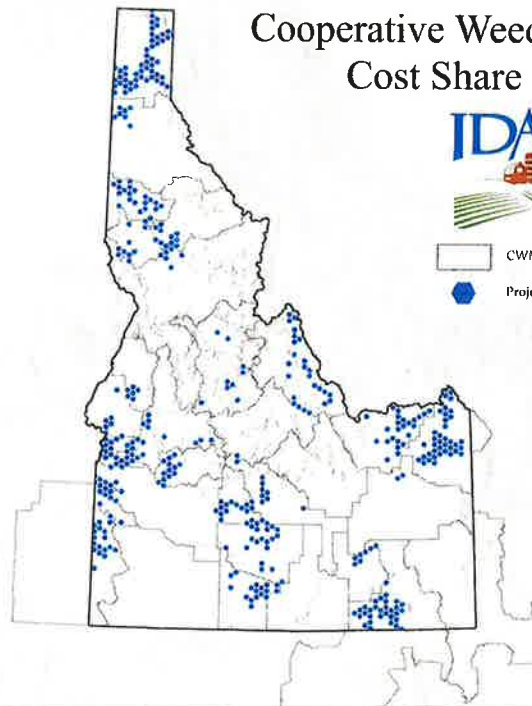


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Cooperative Weed Management Area Cost Share Projects 2018



- CWMA Boundaries
- Project Locations



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Mormon Cricket/Grasshopper Program 2019



Rank	County	Number of Complaints	Number of Landowners that received bait	Carbaryl Bait Distributed (lbs)
1	Owyhee	29	24	18,400
2	Washington	17	9	13,240
3	Elmore	19	16	7,320
4	Oneida	7	4	5,920
5	Kootenai	12	11	4,520
6	Franklin	17	13	4,280
7	Bonner	3	3	3,320
8	Gem	4	3	3,080
9	Blaine	5	4	3,000
10	Valley	4	3	2,760
11	Bannock	2	2	1,680
12	Boise	4	4	920
13	Lincoln	2	2	680
14	Custer	1	1	600
15-tied	Bear Lake	1	1	400
16-tied	Twin Falls	1	1	400
17	Idaho	3	3	320
18	Boundary	3	2	280
19	Adams	1	1	160
20	Camas	1	0	0
21	Bingham	1	0	0
Totals		137	107	71,280

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Jeremey Varley
Program Manager, Noxious Weeds
Jeremey.Varley@isda.idaho.gov
(208)332-8667 – Office
(208)993-0950 – Cell

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AGENDA
SENATE AGRICULTURAL AFFAIRS COMMITTEE
8:00 A.M.
Room WW53
Thursday, March 12, 2020

SUBJECT	DESCRIPTION	PRESENTER
Minutes Approval: H 487	Minutes of February 20, 2020	Senator Jordan
	Minutes of February 25, 2020	Senator Lent
	Minutes of March 3, 2020	Senator Mortimer
	Relating to Pesticides	David Lehman, Primus Policy
Honoring the Page:	Luke Amar	Chairman Guthrie

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Guthrie	Sen Lent
Vice Chairman Den Hartog	Sen Bayer
Sen Patrick	Sen Jordan
Sen Harris	Sen Nelson
Sen Mortimer	

COMMITTEE SECRETARY

LeAnn Mohr
Room: WW31
Phone: 332-1330
Email: sagri@senate.idaho.gov

MINUTES
SENATE AGRICULTURAL AFFAIRS COMMITTEE

DATE: Thursday, March 12, 2020

TIME: 8:00 A.M.

PLACE: Room WW53

MEMBERS PRESENT: Chairman Guthrie, Vice Chairwoman Den Hartog, Senators Patrick, Mortimer, Lent, Bayer, Jordan, and Nelson

ABSENT/ EXCUSED: Senator Harris

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Guthrie** called the meeting of the Agricultural Affairs Committee (Committee) to order at 8:00 a.m.

MINUTES APPROVAL: **Senator Jordan** moved to approve the Minutes of February 20, 2020. **Senator Mortimer** seconded the motion. The motion carried by **voice vote**.

Senator Lent moved to approve the Minutes of February 25, 2020. **Vice Chairwoman Den Hartog** seconded the motion. The motion carried by **voice vote**.

Senator Mortimer moved to approve the Minutes of March 3, 2020. **Vice Chairwoman Den Hartog** seconded the motion. The motion carried by **voice vote**.

H 487 **RELATING TO PESTICIDES.** **David Lehman**, Primus Policy, representing Agriculture Aviation Association (AAA), presented **H 487** and advised the Committee that the intent of the bill was to clean up outdated language and establish within the law a process for rulemaking so penalties for violations will be clearly defined in statute or rule. He pointed out that this would allow applicators of pesticides, when faced with a violation, to have an expectation of the results of the violation. Currently the Department of Agriculture (Department) relies on the penalty matrix or penalties that were established in 2000. **Mr. Lehman** indicated **H 487** will create clarity. **Mr. Lehman** reviewed each of the changes in **H 487** and how they would affect code. He noted that different rules should apply to aerial and to ground application processes. **Senator Nelson** asked if any contact had been made with ground applicators. **Mr. Lehman** replied that none of them came forward to give input. The ground applicators may have thought initially that the bill only applied to aerial, but AAA representatives did meet with the ground applicators after the bill was heard in the House. He stressed that Representative Boyle, the House sponsor, is fine with the amendments.

TESTIMONY: The following spoke in opposition to **H 487**: Christina Stucker-Grassi, Adam Schroeder, Marielena Vega, Elaine Kazakoff, Maria Lee, Kim Guevae Jiminez, Alexis Aroiza, Irma Moriri, and Irene Ruiz.

Reasons for the opposition were pesticides' affect on health, oversight, standard of negligence, timing of the bill, protection for the workers, stakeholders who had no input, and the penalty matrix. In addition, 83 letters in opposition were presented from farm workers (see attachment 1 for a sample of these letters).

The following spoke in favor of **H 487**: Rick Waitley, George Parker, John Cooper, Rauley Quigley, Brad Griff, Bruce Hubler, Frank Amen, and Aimee Christensen.

Opposed originally, but finding the amendments acceptable, were Jon Oppenheimer, Julia Page, Jason Hudson, Erik Johnson, and Patxi Larrocea Phillips.

Senator Nelson inquired of Chanel Tewalt, Idaho State Department of Agriculture, if the term "faulty" is being removed from the amendments, and how many times the term has been used. **Ms. Tewalt** stated she has no data on how many times "faulty" has been used in violation investigations.

Vice Chairwoman Den Hartog asked if there is an opportunity for an organization representing the farm workers to be part of the rulemaking. **Ms. Tewalt** responded that going forward representatives of the farm workers will be included.

Mr. Lehman expressed his appreciation for working with the Committee and members of the agricultural community in developing the amendments to **H 487**.

MOTION: **Senator Mortimer** moved to send **H 487** to the 14th Order of Business for possible amendment. **Vice Chairwoman Den Hartog** seconded the motion. The motion carried by **voice vote**.

HONORING THE PAGE: **Chairman Guthrie** honored the Committee's page, Luke Amar, thanked him, and presented him with a gift and letters of recommendation. **Mr. Amar** spoke about what he had learned, and that some of his ideas, including consideration of future careers, have changed with the page experience. **Senator Mortimer** advised Luke that with the rapid changes in possible careers, he would need to be adaptable.

ADJOURNED: There being no further business at this time, **Chairman Guthrie** adjourned the meeting at 9:02 a.m.

Senator Guthrie
Chair

LeAnn Mohr
Secretary

Carol Cornwall
Assistant Secretary

6 de marzo de 2020

Estimado legislador,

Escribo en oposición a los cambios de las leyes de Idaho que rigen los pesticidas y la fumigación de cultivos. Las enmiendas propuestas por el HB487 limitarán irrazonablemente la autoridad del Departamento de Agricultura del Estado de Idaho para responder a incidentes como el que ocurrió cerca de Parma, ID en mayo de 2019, cuando se sospechaba que un aplicador aéreo volaba bajo y aplicaba productos químicos cerca de un grupo de trabajadores agrícolas aproximadamente al mismo tiempo que ellos fueron hospitalizados por exhibir síntomas de exposición química.

HB487 amplía las protecciones de alguien acusado del mal uso de pesticidas. Al eliminar "defectuoso" y "descuidado", esta legislación hace que sea más difícil penalizar a alguien culpable del mal uso de pesticidas o de aplicarlos de manera defectuosa o descuidada. Eliminando estas palabras del estatuto podría exponer a los trabajadores y al público a un mayor daño de los pesticidas tóxicos.

Apoyo estándares estrictos para la salud y la seguridad de las personas que trabajan y viven cerca de sitios donde se aplican pesticidas aéreos tóxicos y me opongo firmemente a HB487.

Sinceramente,

March 6, 2020

Dear Legislator,

I am writing in opposition to changes to Idaho's laws governing pesticides & crop dusting. The amendments proposed in HB487 will unreasonably limit the authority of Idaho State Department of Agriculture to respond to incidents such as the one near Parma, ID in May 2019 when an aerial applicator was suspected of flying low and applying chemicals near a group of farmworkers around the time they were hospitalized for exhibiting symptoms of chemical exposure.

HB 487 expands protections for someone accused of misusing pesticides. By eliminating "faulty" and "careless," this legislation makes it more difficult to penalize someone guilty of misusing pesticides or applying them in a faulty or careless manner. Striking these from the statute could potentially expose workers and the public to greater harm from toxic pesticides.

I support **strong** standards for the health and safety of people working and living near toxic aerial pesticide application sites and I am **strongly** opposed to HB487.

Sincerely,

Dear Senators,

I recommend that HB487 be tabled in committee as you do not have enough information to make a sound decision this year for ALL Idahoans. Idaho has too many incidents of harming agricultural workers in the field, inadvertent exposures to farmers and crops and unintended groundwater well contamination from pesticides. Idaho should step up its enforcement and education, not reduce liability risk for contracted aerial applicators.

1. Not only are we placing our tremendously hard working ag. workers and producers at risk while outside in the fields, but we are placing our organic food sources at risk too.

Organic farm producers should be against this bill and that if anything, the bill needs to be tabled for more information until next session. The pesticide "label is the law" so any application outside of the label places liability on the applicator. The attorneys for the pesticide companies made it that way to limit their liability. If drift from improper application contaminates an organic producer, they would have lost their pesticide free certification which takes 3 years to qualify. If anything, this bill should be modified **to ensure that organic farmers can be paid for their full losses from pesticide drift for the 3 years they are again qualifying for their USDA pesticide free certification.**

2. Differing to the EPA to enforce is not recognizing that EPA cannot enforce State Law that is outside of the Federal Law and that Federal EPA budget cuts have resulted in significantly less agency capability.

Placing the enforcement burden back to Federal EPA is cynical at best. Nationally, since 2010, Congress has cut the federal EPA budget beyond to the bone. As I understand it, R10 which covers Idaho is down to 1984 staffing levels. At a minimum, EPA should be invited to testify on this bill so the legislature understands their current EPA staffing capability and understand that the State cannot legally direct a federal agency priority as that must go through Congress. **The State could pass a resolution to Congress to increase EPA funding to meet Idaho's pesticide application enforcement priority.**

3. No landowner should have the right to injure an adjacent landowner or their rights through his own actions or contracted actions!

No landowner should have the right to injure an adjacent landowner or their rights through his own actions or contracted actions (such as aerial spray application.) when acting outside of the pesticide label as the law. There should be no limited liability since the proper application window (wind speed and direction) is defined on the label and should always be followed. Any injury to adjacent or downwind landowners should be subject to fines and in the case of personal injury, viable as a court proceeding to ensure fair compensation. Injury may also include long-term pesticide application groundwater contamination of private drinking water wells. **IDA should be presenting to the legislature the nature and extent of pesticide contamination in groundwater**

statewide and the risk and vulnerability to private wells and public drinking water systems.

https://agri.idaho.gov/main/wp-content/uploads/2019/11/2018_GW_Annual_Report.pdf

4. Being a Good Neighbor which means more protective rules as our Idaho population grows into agricultural areas.

Idaho should have more stringent requirements than the Federal requirements, not less stringent because of the population explosion of rural residential encroachment within traditional agricultural areas. I would also like to see that Idaho Dept. of Ag. not only enforce applicator drift violations with greater fines, but also require in farm plans that pesticide mgt plans that include buffers and mandatory 24 hour notification of adjacent property owners with MSDS (Material Safety Data Sheets) copies be provided to contiguous property owners for the pesticide applied. EPA pesticide trainings (before budget cuts) included ideas for pesticide drift management such as tree windbreak plantings near rural residential and residential encroachment areas, other vegetative buffer strips and how to be a good neighbor education on application of pesticides. The burden placed on applicators to follow the label and the law should not be compromised as **all Idahoans deserve the best from our farm producers and farm producers should be proud of that and not try to get around rules and regulations. It is about being a good neighbor.**

Thank you for consideration of these comments as I used to get calls when I worked in Eastern Idaho about these concerns from Bannock County, Bingham County and Power County residents. Having grown up on an Idaho farm, I fully understand the use, risks and long-term consequences including too many family friends with cancer, neuropathy and compromised private wells.

Susan Skinner
PO Box 4024
Pocatello, Idaho 83205
March 9, 2020

Testimony of José Ramirez against HB487

My name is Jose Ramirez and I was one of the people who were harmed in Parma on May 2019 while I was working in a hop field. I clearly remember that Sunday. There was about 23 of us working. Around 11 a.m. I noticed a crop duster in the distance. When I looked up again it was close to one of the posts where we string hops. He made a U turn. I didn't think he was going to spray while we were there so I kept working. Then I saw he sprayed the onion field next to us. He made another U turn close to us and sprayed that field again. All of the sudden, our eyes started to water and I noticed some of the women were coughing and gagging and we left the field. The people who were closer to the onion field including me, were the ones who got the worst of the drift. We did not have soap and water on site that was needed in case of an emergency like this.

I went home that day and I started feeling horrible. I came home and started vomiting uncontrollably. I woke up disoriented and I would go in and out of consciousness. I felt like I had not eaten in days. The contractor called and told us to go to the hospital because other people felt sick after the incident. My son drove me to the hospital and I went to the emergency room and that is where they put IV's in me on both arms so they can give me something to counteract the affects from what the hospital staff felt was pesticide poisoning. They gave me a shower and they had a special team that I think were firefighters to help me detox from what made me feel very ill. I felt so much better after they gave me the medicine, but I still felt weak and I could not eat. We had to miss a week of work and lost wages. I have hospital and medication bills that have made it harder for us.

It makes me so angry to see how irresponsible the pilot was. I know that this could have been avoided. I always wear reflective gear that is required to work in hop fields as well as two others so we can be seen. We were told that the pesticides that the pilot sprayed were not bad, but what a coincidence that people started to feel sick and had to go to the hospital after the plane sprayed next to where we were working. It is hard to understand why this would happen.

We are human and honorable people and all we want to do is support our families, pay our bills, and put food on our tables. I think about this incident every time I see a crop duster working in agricultural fields. I always worry about the long term affects of this incident. Imagine if it happened to your wife and children. I was lucky that my family was working ahead of me and did not get the drift. If only people would put themselves in my place so they would understand. It makes me feel like no one cares about those of us who do this hard labor.

I do not want what happened to me happen to other people in the future. I want families to be safe and not worry about getting sick from pesticides and the carelessness of those who apply them. This is why I oppose HB 487. I feel this bill will harm more people and pilots would be more careless and irresponsible. I hope you consider us and see us human beings, who all we want to do is live and work in a safe space. Thank you.

(Translated from Spanish)

Testimony H487

My name is Elaine Kazakoff. I live in Boise, Idaho and I am speaking as a representative of the Idaho Organization of Resource Councils. IORC empowers people to improve the well-being of their communities through the power of grassroots organizing.

As Co Chair of the IORC Agriculture and Food Task force I am deeply concerned with H 487 which seems to be taking ~~exactly~~ the wrong approach to protect farmworkers from faulty or careless pesticide application. *still in negligent by making any modifications to existing rules*

I'm sure you are all aware of the incident in May of 2019 where approximately 25 farmworkers were in a field where they were believed to be exposed to pesticide drift by a pilot doing aerial spraying. That pilot was later found to have violated Idaho Code which prohibits applying pesticides in a faulty, careless or negligent manner, exactly the language the bill is trying to modify. *The sponsor is minimizing the modification but we would question why changes frequently and effectively applied rule at all*
The Idaho Agricultural Aviation Association is not acting in the best interest of farmworkers. Their request to amend section 22-3420 will make it more difficult to prove an individual or company misused pesticides. In the May case, using existing regulations, ISDA reports that 13 workers were hospitalized, their report also states that emergency responders did see evidence of spotting from pesticide drift on vehicles the farmworkers came to the hospital in. ISDA concluded that the potential for drift and human exposure was present and that making the aerial application over approximately 25 workers was avoidable.

If H487 is passed what happens the next time that situation plays out? Workers were harmed and we collectively have a duty to keep them safe from harm with sensible regulation. These proposed changes do not remove ambiguous language as stated by the bill's sponsor, they weaken the existing legislation.

Strip it Short on time
The Idaho Agricultural Aviation Association is lobbying that rulemaking on pesticides be mandatory every five years. This is contrary to Governor Little's red tape reduction guidelines which require rules be reviewed every 5 years. ISDA's current guidelines are available to the public and easily obtainable through a simple public records request to ISDA. ISDA's treatment of the pilot in the May incident was consistent with their existing rules.

Given that less than one year ago we had a serious incident that sickened several farmworkers this is not the time to make our regulations regarding Pesticides weaker. If anything we should be considering how to better protect farmworkers. ~~Please do not allow this bill to pass.~~ *Existing rules are effective*

Lastly I want to express concern over several rules that were eliminated by the House Agricultural Affairs Committee from the Idaho Department of Agriculture Rules Governing Pesticide and Chemigation Use and Applications. Section 310 governing low flying prohibitions, section 320 Wind Velocity Restrictions, and section 600 Application near hazard areas. These eliminations along with the previously discussed changes create concerns in our organization that farmworker safety is being compromised. As you consider H487 please also consider these rules that have been eliminated.

H487

Mr. Chairman and Members of the committee:

My name is Rick Waitley, I serve as Executive Director of Food Producers of Idaho an organization representing over 40 commodity and farm organizations in Idaho and the Pacific Northwest.

Food Producers of Idaho first reviewed H487 on February 12. The minutes read:

Brian Oakey, Deputy Director ISDA spoke to H487 which eliminates ambiguous language within the statute and adds new language that will require the Department of Agriculture to promulgate rules related to penalties and restrictions due to violations of this section through a negotiated rule making process. Members asked questions of Brian related to H487.

H487 was heard in House Ag Affairs on February 25 and sent to the floor where it passed by a vote of 52-12- 6 on February 28. In between February 12-February 28 several folks came to me and asked that the Department of Ag be invited to attend a future meeting of Food Producers to answer additional questions of concern that they had about the bill. On March 4, Chanel Tewalt returned to answer questions. Members concluded from their review of the bill and the answers provided by ISDA that the bill had implications on more than just the agricultural aviation industry. At that time, Food Producers voted to oppose the legislation due to the fact that

they felt several parties could be impacted by the legislation were not at the table to have input on the content of H487.

I was contacted by George Parker, an aerial applicator who ^{H487} serves in a leadership role with the Idaho Agricultural Aviation Assn. on Thursday, March 5 asking for explanation and clarification as to the position taken by Food Producers. I want to commend Mr. Parker and members of his association, along with their lobbyist Dave Lehman for their communication and education on this bill over the past few days.

Mr. Lehman, Chairman Boyle and Mr. Parker attended Food Producers meeting yesterday and presented some changes that had been agreed to by their organization and Chairman Guthrie. These changes were reviewed by the Food Producer members.

If you have reviewed our minutes from yesterday and the Green Sheet you will see we did not change our position in opposition to H487 as it is currently written. It is our understanding that the measure potentially could be sent to the floor of the Senate for some amendments. Food Producers in their review did ask that in Section 1: 22-3420, that item 6 remain in the bill "*apply ineffective or improper pesticides*". Depending upon the path forward for the bill, and amendments that may be attached, the Food Producers membership has empowered the Food Producers Executive Committee to review any amendments and to act quickly related to Food Producer's position on the legislation depending upon those changes.

Good morning. My name is Marielena Vega. I come here today, to this Senate Hearing, to express concerns over the proposed changes that House Bill 487 (HB487) brings to the State of Idaho and our farm-working community in the State.

I am a member of Visión 2C, a new Canyon County Chapter of the Idaho Organization of Resource Councils, a farmworker subcommittee that was formed in response to the pesticide exposure incident that occurred last May in Parma, Idaho in which an approximate twenty people were seen and treated due to pesticide exposure by an aerial applicator (crop duster).

Visión 2C has been following up with the farmworkers who were exposed to the pesticide and working towards making sure proper accountability is taken on the issue and to prevent any incident like this one from happening again. It's been an on-going issue and process that Visión 2C has been actively involved in and holds the interest of its membership, including but not limited to, anything in relation to the incident.

As a member of Visión 2C, and as a daughter/sister/cousin/niece/aunt/and seasonal farmworker myself, I find it concerning that a bill that limits the authority of the Idaho State Department of Agriculture's (ISDA) to respond and regulate pesticide use and application was introduced.

Striking out the words "faulty" and "careless" from the existing Idaho Code, leaves the ISDA with limited authority to respond to incident like the ones in Parma, unless they meet "a standard of negligence."

Given the recent incident in Parma, it is hard to believe that HB487 is introduced and up for discussion. It is almost unbelievable, given that the farmworkers affected by pesticide exposure in Parma, continue to suffer and deal with the burden of medical bills and present/future health issues/concerns as result of pesticide exposure by a crop duster. Allowing HB487 to pass would mean that the negative impact and experience that these farmworkers live and continue to live holds little to no importance as does preventing future incidents like these.

It is necessary for there to be language that gives the ISDA authority to respond violations of pesticide and cite those responsible for such violations. Eliminating this language allows for less regulation and even less accountability.

Additionally, I would like to add that HB487, adds language requiring the ISDA penalty matrix to be codified in rule and requires the ISDA to promulgate new rules every five years -- which creates unnecessary and redundant regulations that contradict the Red Tape Reduction Act issued by Governor Little.

Instead of moving forward with HB487, a considerable approach to the situation could be that sponsors of the bill address their concerns about penalties and restrictions and allow

Marielena Vega

for an opportunity for open discussion on the matter, and allow an opportunity to present and discuss the health and safety concerns of our farmworker community in Idaho. It is important that we take into consideration the concerns of our farmworker community and their families. The matter and should be given thoughtful consideration.

Because of these concerns, I respectfully urge all of you today, to consider the dire consequences of this proposed legislation, not only as a member of Visión 2C but as an Idahoan who has performed farm labor and has been exposed to various chemicals/pesticides through personal and generational exposure.

Thank you.

Marietena Vega 2

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Plant Growth Regulator

Intended for Commercial or Agricultural Use Only

For use on Apples, Blackberries, Blueberries, Cantaloupes, Cherries, Grapes, Peppers,
Tobacco, Field and Greenhouse Tomatoes, Walnuts, and for Minimizing Lodging in Barley and Wheat.

For the Removal of Dwarf Mistletoe in Ornamental Conifers and Leafy Mistletoe in Ornamental Deciduous Trees, for the Elimination of Undesirable Fruit on Ornamental Trees and Shrubs, for Inducing Flowering of Ornamental Bromeliads, for Increased Lateral Branching in Ornamentals, for Reducing Plant Height of Potted Daffodils and Stem Topple of Potted Hyacinths, in the Production of Cucumber, Squash and Pumpkin Hybrid Seed, and for Use on Turf including Golf Courses and Sod Farms.

ACTIVE INGREDIENT:

Ethephon: (2-Chloroethyl) phosphonic acid*21.7%

OTHER INGREDIENTS:78.3%

TOTAL:100.0%

*1 Gallon contains 2 lb ethephon.

KEEP OUT OF REACH OF CHILDREN DANGER / PELIGRO

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle.
(If you do not understand the label, find someone to explain it to you in detail.)

See Inside Label Booklet for PRECAUTIONARY STATEMENTS

For Chemical Spill, Leak, Fire, or Exposure, Call CHEMTREC (800) 424-9300.

For Medical Emergencies Only, Call (877) 325-1840.

FIRST AID	
IF IN EYES	<ul style="list-style-type: none">• Hold eye open and rinse slowly and gently with water for 15-20 minutes.• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.• Call a poison control center or doctor for treatment advice.
IF SWALLOWED	<ul style="list-style-type: none">• Call a poison control center or doctor immediately for treatment advice.• Have person sip a glass of water if able to swallow.• Do not induce vomiting unless told to do so by the poison control center or doctor.• Do not give anything to an unconscious person.
IF ON SKIN OR CLOTHING	<ul style="list-style-type: none">• Take off contaminated clothing.• Rinse skin immediately with plenty of water for 15-20 minutes.• Call a poison control center or doctor for treatment advice.
IF INHALED	<ul style="list-style-type: none">• Move person to fresh air.• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible.• Call a poison control center or doctor for further treatment advice.
HOTLINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact (877) 325-1840 for emergency medical treatment information.	
NOTE TO PHYSICIAN	
Probable mucosal damage may contraindicate the use of gastric lavage. No specific antidote is available. All treatments should be based on observed signs and symptoms of distress in the patient. Overexposure to materials other than this product may have occurred.	
Victims of severe overexposure by inhalation should be kept under medical observation for up to 72 hours for delayed onset of pulmonary edema. In a victim of overexposure by ingestion, careful gastric lavage is required due to the possibility of stomach or esophageal perforation. This material is an acid but the use of alkaline substances to neutralize it is contraindicated.	

EPA REG. NO. 228-660

Manufactured for
Nufarm Americas Inc.
11901 S. Austin Avenue
Alsip, IL 60803



Grow a better tomorrow.

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
DANGER/PELIGRO**

CORROSIVE: Causes irreversible eye damage. Wear safety goggles when handling. Harmful if swallowed or absorbed through skin. Do not get in eyes or on clothing. Avoid contact with skin. Do not inhale vapors as this product will irritate mucous membranes.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for category A on an EPA chemical-resistance selection chart.

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Chemical-resistant gloves made of any waterproof material such as nitrile, butyl, neoprene or barrier laminate
- Shoes plus socks, and
- Protective eyewear

Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them. Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

Engineering Controls Statement

When handlers use closed systems, enclosed cabs, or aircraft in a manner that meets the requirements listed in the Worker Protection Standard for agricultural pesticides (WPS) [40 CFR 170.240 (d) (4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS.

USER SAFETY RECOMMENDATIONS

Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.
- Remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Remove PPE immediately after handling this product. As soon as possible, wash thoroughly and change into clean clothing. Wash the outside of gloves before removing.

ENVIRONMENTAL HAZARDS

Do not contaminate water used for irrigation or domestic purposes. Do not apply directly to water, or to areas where surface is water present or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwaters. Avoid spray drift to nearby crops, as this product will cause modifications in plant growth. Plant injury or reduced yields may result. Do not plant another crop within 30 days after treatment.

DIRECTIONS FOR USE

It is a violation of federal law to use this product in a manner inconsistent with its labeling. Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your state or tribe, consult the agency responsible for pesticide regulations. Read entire label before using this product.

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard 40 CFR Part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE), notification to workers, and restricted-entry intervals. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the restricted-entry interval (REI) of 48 hours. The REI is 72 hours in areas where average rainfall is less than 25 inches per year.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water, is: Coveralls over long-sleeved shirt and long pants; chemical-resistant gloves made of any waterproof material, such as nitrile, butyl, neoprene, or barrier laminate; chemical-resistant footwear plus socks; protective eyewear; chemical-resistant headgear for overhead exposure.

Notify workers of the application by warning them orally and posting warning signs at entrances to treated areas.

NON-AGRICULTURAL USE REQUIREMENTS

The requirements in this box apply to uses of this product that are NOT within the scope of the Worker Protection Standard for agricultural pesticides (40 CFR Part 170). The WPS applies when this product is used to produce agricultural plants on farms, forests, nurseries, or greenhouses.

Keep unprotected persons out of treated areas until sprays have dried

SPRAY DRIFT

AVOIDING SPRAY DRIFT AT THE APPLICATION SITE IS THE RESPONSIBILITY OF THE APPLICATOR. The interaction of many equipment and weather related factors determines the potential for spray drift. The applicator is responsible for considering all these factors when making decisions. The following drift management requirements must be followed to avoid off-target drift movement from aerial applications to agricultural field crops. These requirements do not apply to forestry applications, public health uses or to applications using dry formulations.

1. The distance of the outer most nozzles on the boom must not exceed 3/4 the length of the wingspan or rotor.
2. Nozzles must always point backward parallel with the air stream and never be pointed downwards more than 45 degrees.

When states have more stringent regulations, they should be observed. The applicator should be familiar with and take into account the information covered in the [Aerial Drift Reduction Advisory Information](#), below.

Aerial Drift Reduction Advisory Information

[This section is advisory in nature and does not supersede the mandatory label requirements]

Information on Droplet Size: The most effective way to reduce drift potential is to apply large droplets. The best drift management strategy is to apply the largest droplets that provide sufficient coverage and control. Applying larger droplets reduces drift potential, but will not prevent drift if applications are made improperly, or under unfavorable environmental conditions (see Wind, Temperature and Humidity, and Temperature Inversions below).

Controlling Droplet Size:

- Volume – Use high flow rate nozzles to apply the highest practical spray volume. Nozzles with higher rated flows produce larger droplets.
- Pressure – Do not exceed the nozzle manufacturer's specified pressures. For many nozzle types lower pressure produces larger droplets. When higher flow rates are needed, use higher flow rate nozzles instead of increasing pressure.
- Number of Nozzles – Use the minimum number of nozzles that provide uniform coverage.
- Nozzle Orientation – Orienting nozzles so that the spray is released parallel to the airstream produces larger droplets than other orientations. Significant deflection from horizontal will reduce droplet size and increase drift potential.
- Nozzle Type – Use a nozzle type that is designed for the intended application. With most nozzle types, narrower spray angles produce larger droplets. Consider using low-drift nozzles. Solid stream nozzles oriented straight back produce the largest droplets and the lowest drift.

Boom Length: For some use patterns, reducing the effective boom length to less than 3/4 of the wingspan or rotor length may further reduce drift without reducing swath width.

Application Height: Applications should not be made at a height greater than 10 feet above the top of the largest plants unless a greater height is required for aircraft safety. Making applications at the lowest height that is safe reduces exposure of droplets to evaporation and wind.

Swath Adjustment: When applications are made with a crosswind, the swath will be displaced downwind. Therefore, on the up and downwind edges of the field, the applicator must compensate for this displacement by adjusting the path of the aircraft upwind. Swath adjustment distance should increase with increasing drift potential (higher wind, smaller drops, etc.).

Wind: Drift potential is lowest between wind speeds of 2 - 10 mph. However, many factors, including droplet size and equipment type, determine drift potential at any given speed. Application should be avoided below 2 mph due to variable wind direction and high inversion potential.

NOTE: Local terrain can influence wind patterns. Every applicator should be familiar with local wind patterns and how they affect spray drift.

Temperature and Humidity: When making applications in low relative humidity, set up equipment to produce larger droplets to compensate for evaporation. Droplet evaporation is most severe when conditions are both hot and dry.

Temperature Inversions: Applications should not occur during a temperature inversion because drift potential is high. Temperature inversions restrict vertical air mixing, which causes small-suspended droplets to remain in a concentrated cloud. This cloud can move in unpredictable directions due to the light variable winds common during inversions. Temperature inversions are characterized by increasing temperatures with altitude and are common on nights with limited cloud cover and light to no wind. They begin to form as the sun sets and often continue into the morning. Their presence can be indicated by ground fog; however, if fog is not present, inversions can also be identified by the movement of smoke from a ground source or an aircraft smoke generator. Smoke that layers and moves laterally in a concentrated cloud (under low wind conditions) indicates an inversion, while smoke that moves upward and rapidly dissipates indicates good vertical air mixing.

Sensitive Areas: This pesticide should only be applied when the potential for drift to adjacent sensitive areas (e.g., residential areas, bodies of water, known habitat for threatened or endangered species, non-target crops) is minimal (e.g., when wind is blowing away from the sensitive areas).

IMPORTANT:

- Do not apply this product through any type of irrigation system.
- Do not use this product for purposes other than those listed on the label.
- Do not exceed the rate of this product per acre per year specified on this label.

PRODUCT INFORMATION

This product is a plant growth regulator which penetrates plant tissues and degrades to ethylene which affects the growth process of the plant. This product can be used to produce the following effects in treated crops:

Apples, Grapes, Peppers, Tomatoes:	Earlier maturation and coloring of leaves
Apples, Cherries [except CA], Walnuts:	Loosens fruit/nut for earlier and more efficient harvest
Blackberries [WA & OR only]:	Earlier ripening, loosens fruit
Blueberry	Concentrates maturation for earlier harvest, reduces undesirable barrenberry fruit
Cantaloupes:	Helps abscission of fruit
Sweet Cherries:	Increases hardness of dormant fruit buds, delays spring bloom in the Pacific Northwest
Flue-Cured Tobacco:	Uniform coloring of mature leaves, earlier harvest
Ornamental Trees and Shrubs: Apple, Crabapple, Carob, Cottonwood, Elm, Flowering Pear, Horsechestnut (Buckeye), Maple, Oak, Olive, Pine, Sour Orange, Sweetgum, And Sycamore:	Reduces or eliminates undesirable fruit development
Ornamental Conifers:	eliminates dwarf mistletoe
Ornamental Deciduous Trees:	eliminates leafy mistletoe
Ornamental Bromeliads such as <i>Ananas</i> , <i>Aechmea</i> , <i>Neoregelia</i> , <i>Vriesia</i> , and <i>Billbergia</i> .	Initiates flowering
Roses, Tallhedge, and Apple Nursery Stock	Initiates earlier leaf drop, allowing digging of stock plants prior to the onset of unfavorable weather
Greenhouse, Shadehouse, and Field Grown Ornamental Plants such as Azalea, Begonia, chrysanthemum, Geranium, Impatiens, Lantana, Verbena, Vinca vine.	Increases lateral branching
Potted Daffodils and Hyacinths	Aids in reducing total plant height of potted daffodils and stem topple of potted hyacinths at time of full flower
Cantaloupe, Cucumber, pumpkin, and squash	Modifies sex expression and flowering pattern to facilitate hybrid seed production. DO NOT TREAT CROPS FOR HUMAN OR ANIMAL CONSUMPTION
Turf:	Slows growth of turfgrass; suppresses seedhead formation of <i>Poa annua</i> and white clover

Additional information on how to use this product (including use rates, spray volumes (gallons of water per acre), and spray equipment) or if an application should be made based on weather conditions (such as variable temperatures or anticipated rainfall) can be obtained from your local Extension or Horticultural Specialist, Nufarm Representative or Farm Advisors.

MIXING DIRECTIONS

Do not prepare more spray solution than required for one day's use. Do not allow the spray solution to stand overnight. Do not allow any spillage of the concentrated product on any spray equipment or on airplane parts. This product is corrosive. **CLEAN UP SPILLS IMMEDIATELY BY FLUSHING WITH PLENTY OF WATER.**

OTHER PRECAUTIONS

- Do not allow spray to drift to nearby crop. This product will affect their growth and could injure the crop or lead to reduced yields.
- Do not plant another crop in treated fields until 30 days after the last application.
- Use only the additives specified on this label with this product.
- **DO NOT MIX THIS PRODUCT WITH AMMONIUM THIOSULFATE. SUCH TANK MIXTURES RESULT IN FORMATION OF TOXIC FUMES.**

APPLICATION VOLUMES AND SPRAY COVERAGE

Thorough spray coverage is essential for this product to produce maximum effects. Spray coverage is affected by choice of equipment, nozzle selection and spray boom setup as well as spray pressure, plant size and canopy density. For both air and ground applications, choose equipment that will assure thorough coverage of plant canopy (follage and fruit). The actual spray volume required will vary with the size and density of the plant canopy and the equipment used. In California and Arizona use a minimum spray volume of 5 gallons per acre for aerial applications.

EQUIPMENT CLEANING

This product is acidic and can damage acrylic plastics, certain paints, and metals when exposed to spray droplets for extended periods of time. To prevent damage, rinse any exposed surface should thoroughly using soap and water within one hour of exposure.